

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

IN RE MERCEDES-BENZ EMISSIONS
LITIGATION

Civil Action No. 2:16-cv-881 (JLL) (JAD)

ELECTRONICALLY FILED

**DEFENDANTS MERCEDES-BENZ USA, LLC'S AND DAIMLER AG'S
ANSWER TO THE FIFTH AMENDED COMPLAINT**

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Attorneys for Defendants Mercedes-Benz USA, LLC and Daimler AG

Defendants Mercedes-Benz USA, LLC and Daimler AG (“the Mercedes Defendants”) hereby answer and respond to Plaintiffs’ Fifth Amended Complaint, filed on March 15, 2019 (Dkt. No. 185). The Mercedes Defendants deny all allegations in the Fifth Amended Complaint, whether express or implied, that are not specifically admitted below. Any factual allegation below is admitted only as to the specific admitted facts, not as to any purported conclusions, characterizations, implications or speculations that arguably follow from the admitted facts. In addition, the Mercedes Defendants deny any averments in the Table of Contents, headings, subheadings, and, unless otherwise noted, footnotes of the Fifth Amended Complaint. For ease of reference only, the headings and subheadings used herein shall be used in the same manner as they are in the Fifth Amended Complaint. The Mercedes Defendants deny that Plaintiffs are entitled to the relief requested or any other relief.

ANSWER

The Mercedes Defendants respond to the specific allegations in the Complaint as follows:

I. INTRODUCTION

1. To the extent that the allegations purport to quote documents or advertising, those documents speak for themselves, and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 1.

2. The Mercedes Defendants deny the allegations contained in Paragraph 2.

3. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding other persons or entities and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 3.

4. The Mercedes Defendants deny the allegations contained in Paragraph 4.

5. The Mercedes Defendants deny the allegations contained in Paragraph 5.

6. The Mercedes Defendants deny the allegations contained in the first sentence of Paragraph 6. The second sentence of Paragraph 6 purports to characterize an image, which speaks for itself. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 6.

7. The Mercedes Defendants admit that torque, low-end power, drivability and fuel efficiency are some of the benefits of diesel engines as compared to comparable gasoline-powered engines. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 7.

8. The Mercedes Defendants admit that NO_x can be a by-product of diesel combustion. The Mercedes Defendants admit that NO_x can interact with volatile organic compounds to form ozone under certain circumstances. The Mercedes Defendants also admit that NO_x, like virtually all substances, including water, can be harmful under certain circumstances and at certain levels, but otherwise deny the allegations contained in Paragraph 8. In addition, the last two sentences of Paragraph 8 purport to characterize laws, which speak for themselves, and state legal conclusions, to which no responses are required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 8.

9. The Mercedes Defendants admit that they produced diesel vehicles with an emissions control system referred to as “BlueTEC,” which received the applicable registration and certifications under relevant legal and regulatory standards. The Mercedes Defendants admit that the emissions control systems in diesel vehicles can include exhaust gas recirculation systems, diesel oxidation catalysts, diesel particulate filters, and selective catalytic reduction systems. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 9.

10. The Mercedes Defendants admit that BlueTEC engines were at times described as “Clean Diesel.” The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding other persons or entities and therefore

deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 10.

11. Paragraph 11 purports to characterize documents which speak for themselves, and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 11.

12. Paragraph 12 purports to characterize documents which speak for themselves and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 12.

13. The Mercedes Defendants deny the allegations contained in Paragraph 13.

14. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the allegations regarding “[t]esting by Plaintiffs” and therefore deny those allegations on that basis. The Mercedes Defendants also deny the remaining allegations contained in Paragraph 14.

15. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the allegations regarding “[t]esting by Plaintiffs,” and therefore deny those allegations on that basis. The Mercedes Defendants deny the remaining allegations contained in Paragraph 15.

16. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the allegations regarding “[t]esting using specialized equipment” by Plaintiffs and therefore deny those allegations on that basis. The Mercedes Defendants also deny the remaining allegations contained in Paragraph 16.

17. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding other persons or entities and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 17.

18. The Mercedes Defendants deny the allegations contained in Paragraph 18.

19. The Mercedes Defendants admit that NOx is subject to regulations. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 19.

20. Paragraph 20 states legal conclusions to which no responses are required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 20.

II. JURISDICTION

21. Paragraph 21 states legal conclusions to which no responses are required.

III. VENUE

22. Paragraph 22 states legal conclusions to which no responses are required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 22.

IV. PARTIES

A. Plaintiffs

23. The Mercedes Defendants deny the allegations contained in Paragraph 23.

24. The Mercedes Defendants deny the allegations contained in Paragraph 24.

25. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Caniero, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 25.

26. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Louis, Jr. and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 26.

27. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Catherine Roberts, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 27.

28. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Adrian Roberts, and therefore deny them on that basis.

29. The Mercedes Defendants deny the allegations contained in Paragraph 29.

30. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Servin, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 30.

31. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Hall, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 31.

32. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Albers, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 32.

33. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Lingua, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 33.

34. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Hamilton, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 34.

35. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Morgan, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 35.

36. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Melnyk, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 36.

37. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Findlay, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 37.

38. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Fraga-Errecart, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 38.

39. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Zavareei, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 39.

40. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Sheehy, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 40.

41. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Garmey, and therefore deny them on that basis. To the extent that Paragraph 41 purports to characterize two websites, they speak for themselves, and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 41.

42. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Welford, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 42.

43. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Ashcraft, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 43.

44. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Thorson, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 44.

45. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Yanus, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 45.

46. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Weiss, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 46.

47. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Laurino, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 47.

48. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Minerva, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 48.

49. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Holbrook, and therefore deny them

on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 49.

50. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Trepper, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 50.

51. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Deutsch, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 51.

52. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Dingle, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 52.

53. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Ledlie, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 53.

54. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Jordan, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 54.

55. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Bird, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 55.

56. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Dilgistic, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 56.

57. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Knight, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 57.

58. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Lynevych, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 58.

59. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Medler, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 59.

60. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Gershberg, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 60.

61. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Rolle, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 61.

62. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Johnson, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 62.

63. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Dannberg, and therefore deny them

on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 63.

64. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding Plaintiff Kurzawa, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 64.

B. Defendants

65. The Mercedes Defendants admit the allegations contained in Paragraph 65, except they state that the correct address of Mercedes-Benz USA, LLC is 1 Mercedes-Benz Drive, Sandy Springs, GA 30328 and deny that there is a Mercedes Customer Service Center at 3 Mercedes Drive, Montvale, New Jersey 07645, or a Learning and Performance Center at the same location.

66. The Mercedes Defendants deny the allegations contained in Paragraph 66.

67. The Mercedes Defendants deny the allegations contained in Paragraph 67.

68. The Mercedes Defendants admit that Daimler AG is a foreign corporation headquartered in Stuttgart, Baden-Württemberg, Germany.

69. The Mercedes Defendants deny the allegations contained in Paragraph 69.

70. The Mercedes Defendants deny the allegations contained in Paragraph 70.

71. The Mercedes Defendants deny the allegations contained in Paragraph 71.

72. The Mercedes Defendants deny the allegations contained in Paragraph 72.

73. The Mercedes Defendants admit that Daimler AG is the parent company of Daimler North America Corporation, which is the parent company of Mercedes-Benz USA, LLC. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 73.

74. The Mercedes Defendants admit that Mercedes-Benz USA, LLC acts as the sole distributor for Mercedes-Benz vehicles in the United States. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 74.

75. The Mercedes Defendants deny the allegations contained in Paragraph 75.

76. Paragraph 76 purports to characterize a document, which speaks for itself, and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 76.

77. The Mercedes Defendants admit the allegations contained in Paragraph 77.

78. The Mercedes Defendants admit that Daimler AG's "special items affecting EBIT" included relocation of MBUSA's headquarters in 2015.

79. The Mercedes Defendant admit that Daimler AG has communicated with investors about certain developments in the United States. The press release referenced in Paragraph 79 speaks for itself, and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 79.

80. The Mercedes Defendants deny the allegations contained in Paragraph 80.

81. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of allegations regarding other persons or entities, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 81.

82. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of allegations regarding other persons or entities, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 82.

83. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of allegations regarding other persons or entities, and therefore deny

them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 83.

84. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of allegations regarding other persons or entities, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 84.

85. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of allegations regarding other persons or entities, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 85.

86. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of allegations regarding other persons or entities, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 86.

87. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of allegations regarding other persons or entities, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 87.

88. Paragraph 88 purports, in its entirety, to characterize documents, which speak for themselves, and therefore no response is required.

89. Paragraph 89 purports, in its entirety, to characterize documents, which speak for themselves, and therefore no response is required.

90. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations regarding other persons or entities, and therefore deny them on that basis. In addition, Paragraph 90 purports, in its entirety, to characterize documents, which speak for themselves, and therefore no response is required.

91. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of allegations regarding other persons or entities, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 91.

92. Paragraph 92 purports to characterize a press release, which speaks for itself and therefore no response is required. The Mercedes Defendants also lack knowledge and information sufficient to form a belief as to the truth or falsity of allegations regarding other persons or entities, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 92.

93. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of allegations regarding other persons or entities, and therefore deny them on that basis. To the extent that Paragraph 93 purports to characterize court documents, these speak for themselves and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 93.

V. FACTUAL ALLEGATIONS

94. The Mercedes Defendants admit that automakers are subject to various United States laws and EPA regulations. The remaining allegations in Paragraph 94 state legal conclusions to which no response is required.

95. Paragraph 95 states legal conclusions to which no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 95.

96. Paragraph 96 purports to characterize a statement by the World Health Organization, about which the Mercedes Defendants lack knowledge and information sufficient to form a belief as to the allegations' truth or falsity and therefore deny on that basis.

97. The Mercedes Defendants deny the allegations contained in Paragraph 97.

98. The Mercedes Defendants admit that gasoline engines use spark plugs to combust fuel and diesel engines use pressure to combust fuel, and that diesel engines often have greater engine torque than gasoline vehicles. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 98.

99. The Mercedes Defendants admit that diesel engines often have a higher compression ratio than other types of engines and that diesel fuel often contains more energy than other types of fuel. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 99.

100. The Mercedes Defendants admit that NO_x can be a by-product of diesel combustion under certain circumstances. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 100.

101. The Mercedes Defendants admit that NO_x can be a by-product of diesel combustion. The Mercedes Defendants admit that NO_x can interact with volatile organic compounds to form ozone under certain circumstances. The Mercedes Defendants also admit that NO_x, like virtually all substances, including water, can be harmful under certain circumstances and at certain levels, but otherwise deny the allegations contained in Paragraph 101.

102. The Mercedes Defendants admit that NO_x and particulate matter (PM) can be a by-product of diesel combustion under certain circumstances. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 102.

103. To the extent that Paragraph 103 states legal conclusions, no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 103.

104. The Mercedes Defendants deny the allegations contained in Paragraph 104.

105. The Mercedes Defendants admit that they have produced Mercedes-Benz diesel vehicles with an emissions control system referred to as “BlueTEC.” The Mercedes Defendants admit that BlueTEC engines were at times described as “Clean Diesel.” The Mercedes Defendants otherwise deny the allegations contained in Paragraph 105.

106. The Mercedes Defendants deny the allegations contained in Paragraph 106.

107. The Mercedes Defendants deny the allegations contained in Paragraph 107.

108. Paragraph 108 purports to characterize an image, which speaks for itself and therefore no response is required.

109. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of allegations regarding other persons or entities, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 109.

110. The Mercedes Defendants deny the allegations contained in Paragraph 110.

111. The Mercedes Defendants deny the allegations contained in Paragraph 111.

112. The Mercedes Defendants deny the allegations contained in Paragraph 112, but state that several federal and state authorities are investigating the emission control systems used in Mercedes-Benz diesel vehicles.

113. Paragraph 113 purports to cite a February 2016 article in Der Spiegel, which speaks for itself, and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 113.

114. The Mercedes Defendants deny the allegations contained in Paragraph 114.

115. The Mercedes Defendants deny the allegations contained in Paragraph 115.

116. The Mercedes Defendants deny the allegations contained in Paragraph 116.

117. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of allegations regarding other persons or entities, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 117.

118. Paragraph 118 purports to characterize a “TNO Report,” which speaks for itself, and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 118.

119. Paragraph 119 purports to characterize a “TNO Report,” which speaks for itself and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 119.

120. Paragraph 120 purports to characterize a “TNO Report,” which speaks for itself and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 120.

121. Paragraph 121 purports to characterize a “TNO Report,” which speaks for itself and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 121.

122. Paragraph 122 purports to characterize statements by T&E, which speak for themselves and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 122.

123. Paragraph 123 purports to characterize an image which speaks for itself and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 123.

124. Paragraph 124 purports to characterize a “T&E report” which speaks for itself, and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 124.

125. Paragraph 125 purports to characterize an “ADAC” report which speaks for itself and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 125.

126. Paragraph 126 purports to characterize a publication by “Emissions Analytics” which speaks for itself and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 126.

127. Paragraph 127 purports to characterize a publication by “Emissions Analytics” which speaks for itself and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 127.

128. Paragraph 128 purports to characterize an image which speaks for itself and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 128.

129. Paragraph 129 purports to characterize a translated statement which speaks for itself and therefore no response is required. The Mercedes Defendants deny the allegations contained in Paragraph 129.

130. Paragraph 130 purports to characterize Daimler AG’s statement, which speaks for itself, and therefore no response is required.

131. Paragraph 131 purports to characterize a statement, which speaks for itself, and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 131.

132. Paragraph 132 purports to characterize a statement by the German Federal Department of Motor Vehicles, which speaks for itself, and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 132.

133. The Mercedes Defendants deny the allegations contained in Paragraph 133.

134. The Mercedes Defendants deny the allegations in Paragraph 134, but state that there are some similarities among the components in Mercedes-Benz diesel engines sold in the United States and Europe.

135. The Mercedes Defendants deny the allegations contained in Paragraph 135.

136. The Mercedes Defendants deny the allegations contained in Paragraph 136.

137. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 137, and therefore deny them on that basis.

138. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 138, and therefore deny them on that basis.

139. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 139, and therefore deny them on that basis.

140. The Mercedes Defendants deny the allegations contained in Paragraph 140.

141. The Mercedes Defendants deny the allegations contained in Paragraph 141.

142. The Mercedes Defendants admit that exhaust gas recirculation (EGR) involves returning a portion of exhaust gas to the engine's combustion chamber, after mixing with intake air. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 142.

143. The Mercedes Defendants deny the allegations contained in Paragraph 143.

144. The Mercedes Defendants deny the allegations contained in Paragraph 144.

145. The Mercedes Defendants deny the allegations contained in Paragraph 145.

146. The Mercedes Defendants deny the allegations contained in Paragraph 146.

147. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 147, and therefore deny them on that basis.

148. The Mercedes Defendants deny the allegations contained in Paragraph 148.

149. The Mercedes Defendants deny the allegations contained in Paragraph 149.

150. The Mercedes Defendants deny the allegations contained in Paragraph 150.

151. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 151, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 151.

152. The Mercedes Defendants admit that PEMS are capable of measuring certain emission constituents under some circumstances during on-road driving. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 152.

153. Paragraph 153 purports to characterize a study, which speaks for itself, and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 153.

154. The Mercedes Defendants deny the allegations contained in Paragraph 154.

155. The Mercedes Defendants admit that certification testing for light-duty and certain medium-duty vehicles is performed on a chassis dynamometer. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 155.

156. The Mercedes Defendants deny the allegations contained in Paragraph 156.

157. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations regarding the conduct of Plaintiffs' experts and deny those allegations on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 157.

158. The Mercedes Defendants deny the allegations contained in Paragraph 158.

159. The Mercedes Defendants deny the allegations contained in Paragraph 159.

160. The Mercedes Defendants deny the allegations contained in Paragraph 160.

161. Paragraph 161 purports to characterize a study, which speaks for itself, and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 161.

162. The Mercedes Defendants deny the allegations contained in Paragraph 162.

163. The Mercedes Defendants deny the allegations contained in Paragraph 163.

164. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations regarding other persons or entities, and therefore deny them on that basis.

165. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 165, and therefore deny them on that basis.

166. The Mercedes Defendants deny the allegations contained in Paragraph 166.

167. The Mercedes Defendants deny the allegations contained in Paragraph 167.

168. Paragraph 168 purports to characterize a graph, which speaks for itself. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 168.

169. The Mercedes Defendants deny the allegations contained in Paragraph 169.

170. The Mercedes Defendants deny the allegations contained in Paragraph 170.

171. Paragraph 171 purports to characterize a graph, which speaks for itself, and therefore no response is required.

172. The Mercedes Defendants deny the allegations contained in Paragraph 172.

173. The Mercedes Defendants deny the allegations contained in Paragraph 173.

174. The Mercedes Defendants deny the allegations contained in Paragraph 174.

175. Paragraph 175 purports to characterize a graph, which speaks for itself. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 175.

176. Paragraph 176 purports to characterize a graph, which speaks for itself. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 176.

177. Paragraph 177 purports to characterize a graph, which speaks for itself. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 177.

178. Paragraph 178 purports to characterize a graph, which speaks for itself. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 178.

179. Paragraph 179 purports to characterize a table, which speaks for itself. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 179.

180. The Mercedes Defendants deny the allegations contained in Paragraph 180.

181. The Mercedes Defendants deny the allegations contained in Paragraph 181.

182. Paragraph 182 purports to characterize a graph, which speaks for itself. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 182.

183. The Mercedes Defendants deny the allegations contained in Paragraph 183.

184. The Mercedes Defendants deny the allegations contained in Paragraph 184.

185. The Mercedes Defendants deny the allegations contained in Paragraph 185.

186. The Mercedes Defendants deny the allegations contained in Paragraph 186.

187. The Mercedes Defendants deny the allegations contained in Paragraph 187.

188. The Mercedes Defendants deny the allegations contained in Paragraph 188.

189. The Mercedes Defendants deny the allegations contained in Paragraph 189.

190. The Mercedes Defendants deny the allegations contained in Paragraph 190.

191. The Mercedes Defendants deny the allegations contained in Paragraph 191.

192. The Mercedes Defendants deny the allegations contained in Paragraph 192.

193. Paragraph 193 purports to characterize a graph, which speaks for itself. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 193.

194. The Mercedes Defendants deny the allegations contained in Paragraph 194.

195. The Mercedes Defendants deny the allegations contained in Paragraph 195.

196. The Mercedes Defendants deny the allegations contained in Paragraph 196.

197. The Mercedes Defendants deny the allegations contained in Paragraph 197.

198. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 198, and therefore deny them on that basis.

199. The Mercedes Defendants deny the allegations contained in Paragraph 199.

200. Paragraph 200 purports to characterize a graph, which speaks for itself. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 200.

201. The Mercedes Defendants deny the allegations contained in Paragraph 201.

202. The Mercedes Defendants deny the allegations contained in Paragraph 202.

203. Paragraph 203 purports to characterize a graph, which speaks for itself. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 203.

204. The Mercedes Defendants deny the allegations contained in Paragraph 204.

205. The Mercedes Defendants deny the allegations contained in Paragraph 205.

206. The Mercedes Defendants deny the allegations contained in Paragraph 206.

207. The Mercedes Defendants deny the allegations contained in Paragraph 207.

208. The Mercedes Defendants deny the allegations contained in Paragraph 208.

209. The Mercedes Defendants deny the allegations contained in Paragraph 209.

210. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 210, and therefore deny them on that basis.

211. The Mercedes Defendants deny the allegations contained in Paragraph 211.

212. The Mercedes Defendants deny the allegations contained in Paragraph 212.

213. The Mercedes Defendants deny the allegations contained in Paragraph 213.

214. The Mercedes Defendants deny the allegations contained in Paragraph 214.

215. The Mercedes Defendants deny the allegations contained in Paragraph 215.

216. The Mercedes Defendants deny the allegations contained in Paragraph 216.

217. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 217, and therefore deny them on that basis.

218. The Mercedes Defendants deny the allegations contained in Paragraph 218.

219. The Mercedes Defendants deny the allegations contained in Paragraph 219.

220. The Mercedes Defendants deny the allegations contained in Paragraph 220.

221. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 221, and therefore deny them on that basis.

222. The Mercedes Defendants deny the allegations contained in Paragraph 222.

223. The Mercedes Defendants deny the allegations contained in Paragraph 223.

224. Paragraph 224 purports to characterize a graph, which speaks for itself. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 224.

225. The Mercedes Defendants deny the allegations contained in Paragraph 225.

226. The Mercedes Defendants deny the allegations contained in Paragraph 226.

227. The Mercedes Defendants deny the allegations contained in Paragraph 227.

228. Paragraph 228 purports to characterize a graph, which speaks for itself. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 228.

229. The Mercedes Defendants deny the allegations contained in Paragraph 229.

230. The Mercedes Defendants deny the allegations contained in Paragraph 230.

231. The Mercedes Defendants deny the allegations contained in Paragraph 231.

232. The Mercedes Defendants deny the allegations contained in Paragraph 232.

233. The Mercedes Defendants deny the allegations contained in Paragraph 233.

- 234. The Mercedes Defendants deny the allegations contained in Paragraph 234.
- 235. The Mercedes Defendants deny the allegations contained in Paragraph 235.
- 236. The Mercedes Defendants deny the allegations contained in Paragraph 236.
- 237. The Mercedes Defendants deny the allegations contained in Paragraph 237.
- 238. The Mercedes Defendants deny the allegations contained in Paragraph 238.
- 239. The Mercedes Defendants deny the allegations contained in Paragraph 239.
- 240. The Mercedes Defendants deny the allegations contained in Paragraph 240.
- 241. The Mercedes Defendants deny the allegations contained in Paragraph 241.
- 242. The Mercedes Defendants deny the allegations contained in Paragraph 242.
- 243. The Mercedes Defendants deny the allegations contained in Paragraph 243.
- 244. The Mercedes Defendants deny the allegations contained in Paragraph 244.
- 245. The Mercedes Defendants deny the allegations contained in Paragraph 245.
- 246. The Mercedes Defendants deny the allegations contained in Paragraph 246.
- 247. The Mercedes Defendants deny the allegations contained in Paragraph 247.
- 248. The Mercedes Defendants deny the allegations contained in Paragraph 248.
- 249. The Mercedes Defendants deny the allegations contained in Paragraph 249.
- 250. The Mercedes Defendants deny the allegations contained in Paragraph 250.
- 251. The Mercedes Defendants deny the allegations contained in Paragraph 251.
- 252. The Mercedes Defendants deny the allegations contained in Paragraph 252.
- 253. The Mercedes Defendants deny the allegations contained in Paragraph 253.
- 254. The Mercedes Defendants deny the allegations contained in Paragraph 254.
- 255. The Mercedes Defendants deny the allegations contained in Paragraph 255.
- 256. The Mercedes Defendants deny the allegations contained in Paragraph 256.

257. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 257, and therefore deny them on that basis.

258. The Mercedes Defendants deny the allegations contained in Paragraph 258.

259. The Mercedes Defendants admit that Bosch supplies certain vehicle components for BlueTEC vehicles. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations regarding other persons or entities, and therefore deny them on that basis. Paragraph 259 also purports to characterize a press release, which speaks for itself. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 259.

260. The Mercedes Defendants admit that Bosch supplies certain vehicle components for BlueTEC vehicles. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations regarding other persons or entities, and therefore deny the remaining allegations in Paragraph 260 on that basis.

261. The Mercedes Defendants deny the allegations contained in Paragraph 261.

262. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations regarding other persons or entities, and therefore deny them on that basis.

263. The Mercedes Defendants deny the allegations contained in Paragraph 263.

264. The Mercedes Defendants admit that certification testing for light-duty and certain medium-duty vehicles is performed on a chassis dynamometer. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations regarding other parties or entities, and therefore deny them on that basis. Paragraph 264 also

purports to characterize a news article and an image, both of which speak for themselves, and therefore no responses are required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 264.

265. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 265 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 265 is a fair and complete summary of the statutory provisions described therein. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 265.

266. The Mercedes Defendants deny the allegations contained in Paragraph 266.

267. The Mercedes Defendants deny the allegations contained in Paragraph 267.

268. The Mercedes Defendants deny the allegations contained in Paragraph 268.

269. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of allegations regarding other persons or entities, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 269.

270. The Mercedes Defendants admit that Daimler is subject to governmental information requests, inquiries and investigations in connection with diesel exhaust emissions. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 270.

271. The Mercedes Defendants deny the allegations contained in Paragraph 271.

272. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 272, and therefore deny them on that basis.

273. Paragraph 273 purports to characterize a press release, which speaks for itself. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 273.

274. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 274 regarding other persons or entities, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 274.

275. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 275 regarding other persons or entities, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 275.

276. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations regarding other persons or entities contained in Paragraph 276, and therefore deny them on that basis.

277. Paragraph 277 purports to characterize a document, which speaks for itself. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 277, and therefore deny them on that basis.

278. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations regarding other persons or entities contained in Paragraph 278, and therefore deny them on that basis.

279. The Mercedes Defendants deny the allegations contained in Paragraph 279.

280. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations regarding other persons or entities contained in Paragraph 280, and therefore deny them on that basis.

281. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations regarding other persons or entities contained in Paragraph 281, and therefore deny them on that basis. Paragraph 281 also purports to characterize a news article, which speaks for itself, and therefore no response is required.

282. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations regarding other persons or entities contained in Paragraph 282, and therefore deny them on that basis.

283. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations regarding other persons or entities contained in Paragraph 283, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 283.

284. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 284, and therefore deny them on that basis.

285. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 285, and therefore deny them on that basis. Paragraph 285 also purports to characterize a news article, which speaks for itself, and therefore no response is required.

286. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding other persons or entities and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 286.

287. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 287, and therefore deny them on that basis.

288. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 288, and therefore deny them on that basis.

289. The Mercedes Defendants deny the allegations contained in Paragraph 289.

290. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 290, and therefore deny them on that basis.

291. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 291, and therefore deny them on that basis.

292. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 292, and therefore deny them on that basis.

293. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 293, and therefore deny them on that basis.

294. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 294, and therefore deny them on that basis.

295. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 295, and therefore deny them on that basis.

296. The Mercedes Defendants admit that Daimler was announced as participating in the Clearly Better Diesel initiative. Paragraph 296 also purports to characterize a press release, which speaks for itself and therefore no response is required.

297. The Mercedes Defendants deny the allegations contained in Paragraph 297.

298. The Mercedes Defendants deny the allegations contained in Paragraph 298.

299. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of allegations regarding other persons or entities, and therefore deny the allegations in Paragraph 299 on that basis.

300. Paragraph 300 purports to characterize a Notice of Violation, which speaks for itself, and therefore no response is required. The Mercedes Defendants otherwise lack knowledge and information sufficient to form a belief as to the truth or falsity of allegations regarding other persons or entities, and therefore deny them on that basis.

301. Paragraph 301 purports to characterize a Notice of Violation, which speaks for itself, and therefore no response is required. The Mercedes Defendants otherwise lack knowledge and information sufficient to form a belief as to the truth or falsity of allegations regarding other persons or entities, and therefore deny them on that basis.

302. Paragraph 302 purports to characterize a Notice of Violation, which speaks for itself, and therefore no response is required. The Mercedes Defendants otherwise lack knowledge and information sufficient to form a belief as to the truth or falsity of allegations contained in Paragraph 302 regarding other persons or entities , and therefore deny them on that basis.

303. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of allegations contained in Paragraph 303 regarding other persons or entities , and therefore deny them on that basis.

304. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of allegations contained in Paragraph 304 regarding other persons or entities, and therefore deny them on that basis.

305. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 305 and therefore deny them on that basis.

306. The Mercedes Defendants deny the allegations contained in Paragraph 306.

307. The Mercedes Defendants deny the allegations contained in Paragraph 307.

308. The Mercedes Defendants deny the allegations contained in Paragraph 308.

309. The Mercedes Defendants deny the allegations contained in Paragraph 309.

310. The Mercedes Defendants admit that BlueTEC engines were at times described as “Clean Diesel.” The Mercedes Defendants otherwise deny the allegations contained in Paragraph 310.

311. The Mercedes Defendants deny the allegations contained in Paragraph 311.

312. The Mercedes Defendants deny the allegations contained in Paragraph 312.

313. Paragraph 313 purports to characterize press releases, which speak for themselves and therefore no response is required.

314. Paragraph 314 purports to characterize a press release, which speaks for itself and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 314.

315. To the extent Paragraph 315 purports to characterize a press release, that press release speaks for itself and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 315.

316. Paragraph 316 purports to characterize BlueTEC press releases and advertisements, all of which speak for themselves. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 316, including in each subparagraph of Paragraph 316.

317. Paragraph 317 purports to characterize a website, which speaks for itself and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 317.

318. Paragraph 318 purports to characterize various websites and advertisements, each of which speaks for itself and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 318, including in each subparagraph of Paragraph 318.

319. The Mercedes Defendants deny the allegations contained in Paragraph 319.

320. Paragraph 320 purports to characterize various websites and advertisements, each of which speaks for itself and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 320.

321. The Mercedes Defendants admit that Daimler is listed as a member of the Diesel Technology Forum, which was founded in 2000 and is a non-profit organization dedicated to raising awareness about the importance of diesel engines, fuel and technology. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations regarding other persons or entities, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 321.

322. Paragraph 322 purports to characterize a press release, which speaks for itself and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 322.

323. Paragraph 323 purports to characterize a website, which speaks for itself and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 323.

324. Paragraph 324 purports to characterize a website, which speaks for itself and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 324.

325. Paragraph 325 purports to characterize a website, which speaks for itself and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 325.

326. Paragraph 326 purports to characterize a document, which speaks for itself and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 326.

327. To the extent that Paragraph 327 purports to characterize EPA statements, they speak for themselves and therefore no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 327.

328. Paragraph 328 purports to characterize images, which speak for themselves, and therefore no responses are required.

329. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 329, and therefore deny

them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 329.

VI. TOLLING OF THE STATUTE OF LIMITATIONS

330. The Mercedes Defendants deny the allegations contained in Paragraph 330.

331. The Mercedes Defendants deny the allegations contained in Paragraph 331.

332. The Mercedes Defendants deny the allegations contained in Paragraph 332.

333. Paragraph 333 states a legal conclusion to which no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 333.

334. The Mercedes Defendants deny the allegations contained in Paragraph 334.

335. The Mercedes Defendants deny the allegations contained in Paragraph 335.

336. Paragraph 336 states a legal conclusion to which no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 336.

337. The Mercedes Defendants deny the allegations contained in Paragraph 337.

338. Paragraph 338 states a legal conclusion to which no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 338.

VII. CLASS ALLEGATIONS

339. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

340. Paragraph 340 states a legal conclusion to which no response is required. To the extent a response is required, the Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses

defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

341. The Mercedes Defendants deny the allegations contained in Paragraph 341.

342. The Mercedes Defendants deny the allegations contained in Paragraph 342.

343. The Mercedes Defendants deny the allegations contained in Paragraph 343.

344. The Mercedes Defendants deny the allegations contained in Paragraph 344, including in each subparagraph of Paragraph 344.

345. The Mercedes Defendants deny the allegations contained in Paragraph 345.

346. The Mercedes Defendants deny the allegations contained in Paragraph 346.

347. The Mercedes Defendants deny the allegations contained in Paragraph 347.

348. The Mercedes Defendants deny the allegations contained in Paragraph 348.

VIII. CLAIMS

A. Claims brought on behalf of the nationwide RICO class.

349. Paragraph 349 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

350. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

351. Paragraph 351 states a legal conclusion to which no response is required.

352. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 352 for a complete and accurate description of their contents. The Mercedes

Defendants deny that Paragraph 352 is a fair and complete summary of the statutory provisions described therein.

353. The Mercedes Defendants deny the allegations contained in Paragraph 353.

354. The Mercedes Defendants deny the allegations contained in Paragraph 354.

355. The Mercedes Defendants admit that Bosch supplies certain vehicle components for BlueTEC vehicles. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 355.

356. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 356 regarding other persons or entities, and therefore deny them on that basis.

357. The Mercedes Defendants deny the allegations contained in Paragraph 357 regarding the Mercedes Defendants. The Mercedes Defendants otherwise lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 357 regarding other persons or entities, and therefore deny them on that basis.

358. The Mercedes Defendants deny the allegations contained in Paragraph 358.

359. The Mercedes Defendants deny the allegations contained in Paragraph 359.

360. The Mercedes Defendants admit that Bosch GmbH supplies certain vehicle components for BlueTEC vehicles. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 360.

361. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 361 regarding other persons or entities, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 361.

362. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 361 regarding other persons or entities, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 362.

363. The Mercedes Defendants deny the allegations contained in Paragraph 363.

364. The Mercedes Defendants deny the allegations contained in Paragraph 364.

365. The Mercedes Defendants deny the allegations contained in Paragraph 365.

366. The Mercedes Defendants deny the allegations contained in Paragraph 366.

367. The Mercedes Defendants deny the allegations contained in Paragraph 367.

368. The Mercedes Defendants deny the allegations contained in Paragraph 368.

369. The Mercedes Defendants deny the allegations contained in Paragraph 369.

370. The Mercedes Defendants deny the allegations contained in Paragraph 370, including in each subparagraph of Paragraph 370.

371. The Mercedes Defendants deny the allegations contained in Paragraph 371.

372. The Mercedes Defendants deny the allegations contained in Paragraph 372.

373. The Mercedes Defendants deny the allegations contained in Paragraph 373.

374. The Mercedes Defendants deny the allegations contained in Paragraph 374.

375. The Mercedes Defendants deny the allegations contained in Paragraph 375.

376. Paragraph 376 purports to characterize a document which speaks for itself, and therefore no response is required.

377. The Mercedes Defendants deny the allegations contained in paragraph 377.

378. The Mercedes Defendants deny the allegations contained in Paragraph 378.

379. The Mercedes Defendants deny the allegations contained in Paragraph 379.

380. The Mercedes Defendants deny the allegations contained in Paragraph 380, including in each subparagraph of Paragraph 380.

381. Paragraph 381 purports to characterize documents which speak for themselves, and therefore no response is required. To the extent further response is required, the Mercedes Defendants deny the allegations contained in Paragraph 381.

382. The Mercedes Defendants deny the allegations contained in Paragraph 382.

383. The Mercedes Defendants deny the allegations contained in Paragraph 383.

384. The Mercedes Defendants deny the allegations contained in Paragraph 384.

385. The Mercedes Defendants deny the allegations contained in Paragraph 385.

386. The Mercedes Defendants deny the allegations contained in Paragraph 386.

387. The Mercedes Defendants deny the allegations contained in Paragraph 387.

388. The Mercedes Defendants deny the allegations contained in Paragraph 388.

389. The Mercedes Defendants deny the allegations contained in Paragraph 389.

390. The Mercedes Defendants deny the allegations contained in Paragraph 390.

391. The Mercedes Defendants deny the allegations contained in Paragraph 391.

392. The Mercedes Defendants deny the allegations contained in Paragraph 392.

393. The Mercedes Defendants deny the allegations contained in Paragraph 393.

394. The Mercedes Defendants deny the allegations contained in Paragraph 394.

395. The Mercedes Defendants deny the allegations contained in Paragraph 395.

396. The Mercedes Defendants deny the allegations contained in Paragraph 396.

397. The Mercedes Defendants deny the allegations contained in Paragraph 397, including in each subparagraph of Paragraph 397.

398. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 398.

B. Claims brought on behalf of the nationwide Unfair and Deceptive Practices Act Class and the New Jersey Subclass under New Jersey law.

399. Paragraph 399 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

400. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

401. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 401 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 401 is a fair and complete summary of the statutory provisions described therein.

402. Paragraph 402 states a legal conclusion to which no response is required

403. Paragraph 403 states a legal conclusion to which no response is required.

404. Paragraph 404 states a legal conclusion to which no response is required.

405. Paragraph 405 states a legal conclusion to which no response is required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 405.

406. The Mercedes Defendants deny the allegations contained in Paragraph 406.

407. The Mercedes Defendants deny the allegations contained in Paragraph 407.

408. The Mercedes Defendants deny the allegations contained in Paragraph 408.

409. The Mercedes Defendants deny the allegations contained in Paragraph 409.

410. The Mercedes Defendants deny the allegations contained in Paragraph 410.

411. The Mercedes Defendants deny the allegations contained in Paragraph 411, including in each subparagraph of Paragraph 411.

412. The Mercedes Defendants deny the allegations contained in Paragraph 412.

413. The Mercedes Defendants deny the allegations contained in Paragraph 413.

414. The Mercedes Defendants deny the allegations contained in Paragraph 414.

415. The Mercedes Defendants deny the allegations contained in Paragraph 415.

416. The Mercedes Defendants deny the allegations contained in Paragraph 416.

417. The Mercedes Defendants deny the allegations contained in Paragraph 417.

418. The Mercedes Defendants lack knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 418, and therefore deny them on that basis.

419. Paragraph 419 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

420. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

421. The Mercedes Defendants deny the allegations contained in Paragraph 421.

422. The Mercedes Defendants deny the allegations contained in Paragraph 422.

423. The Mercedes Defendants deny the allegations contained in Paragraph 423.

424. The Mercedes Defendants deny the allegations contained in Paragraph 424.

425. The Mercedes Defendants deny the allegations contained in Paragraph 425.

426. The Mercedes Defendants deny the allegations contained in Paragraph 426.

427. The Mercedes Defendants deny the allegations contained in Paragraph 427.

428. The Mercedes Defendants deny the allegations contained in Paragraph 428.

429. The Mercedes Defendants deny the allegations contained in Paragraph 429.

430. The Mercedes Defendants deny the allegations contained in Paragraph 430.

431. The Mercedes Defendants deny the allegations contained in Paragraph 431.

432. The Mercedes Defendants deny the allegations contained in Paragraph 432.

433. The Mercedes Defendants deny the allegations contained in Paragraph 433.

434. The Mercedes Defendants deny the allegations contained in Paragraph 434.

435. The Mercedes Defendants deny the allegations contained in Paragraph 435.

436. The Mercedes Defendants deny the allegations contained in Paragraph 436.

437. The Mercedes Defendants deny the allegations contained in Paragraph 437.

438. The Mercedes Defendants deny the allegations contained in Paragraph 438.

439. The Mercedes Defendants deny the allegations contained in Paragraph 439.

C. Claims brought on behalf of the Alabama Subclass.

440. Paragraph 440 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

441. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

442. Paragraph 442 states a legal conclusion to which no response is required.

443. Paragraph 443 states a legal conclusion to which no response is required.

444. Paragraph 444 states a legal conclusion to which no response is required.

445. Paragraph 445 states a legal conclusion to which no response is required.

446. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 446 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 446 is a fair and complete summary of the statutory provisions described therein.

447. The Mercedes Defendants deny the allegations contained in Paragraph 447.

448. The Mercedes Defendants deny the allegations contained in Paragraph 448.

449. The Mercedes Defendants deny the allegations contained in Paragraph 449.

450. The Mercedes Defendants deny the allegations contained in Paragraph 450.

451. The Mercedes Defendants deny the allegations contained in Paragraph 451.

452. The Mercedes Defendants deny the allegations contained in Paragraph 452, including in each subparagraph of Paragraph 452.

453. The Mercedes Defendants deny the allegations contained in Paragraph 453.

454. The Mercedes Defendants deny the allegations contained in Paragraph 454.

455. The Mercedes Defendants deny the allegations contained in Paragraph 455.

456. The Mercedes Defendants deny the allegations contained in Paragraph 456.

457. The Mercedes Defendants deny the allegations contained in Paragraph 457.

458. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested.

459. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested.

460. The Mercedes Defendants admit that Plaintiffs served a demand letter on Daimler AG on August 23, 2016. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 460.

461. Paragraph 461 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

462. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

463. The Mercedes Defendants deny the allegations contained in Paragraph 463.

464. The Mercedes Defendants deny the allegations contained in Paragraph 464.

465. The Mercedes Defendants deny the allegations contained in Paragraph 465.

466. The Mercedes Defendants deny the allegations contained in Paragraph 466.

467. The Mercedes Defendants deny the allegations contained in Paragraph 467.

468. The Mercedes Defendants deny the allegations contained in Paragraph 468.

469. The Mercedes Defendants deny the allegations contained in Paragraph 469.

470. The Mercedes Defendants deny the allegations contained in Paragraph 470.

471. The Mercedes Defendants deny the allegations contained in Paragraph 471.

472. The Mercedes Defendants deny the allegations contained in Paragraph 472.

473. The Mercedes Defendants deny the allegations contained in Paragraph 473.

474. The Mercedes Defendants deny the allegations contained in Paragraph 474.

475. The Mercedes Defendants deny the allegations contained in Paragraph 475.

476. The Mercedes Defendants deny the allegations contained in Paragraph 476.

477. The Mercedes Defendants deny the allegations contained in Paragraph 477.

478. The Mercedes Defendants deny the allegations contained in Paragraph 478.

479. The Mercedes Defendants deny the allegations contained in Paragraph 479.

480. The Mercedes Defendants deny the allegations contained in Paragraph 480.

481. The Mercedes Defendants deny the allegations contained in Paragraph 481.

482. The Mercedes Defendants deny the allegations contained in Paragraph 482.

D. Claims brought on behalf of the California Subclass.

483. Paragraph 483 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

484. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

485. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 485 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 485 is a fair and complete summary of the statutory provisions described therein.

486. The Mercedes Defendants deny the allegations contained in Paragraph 486, including in each subparagraph of Paragraph 486.

487. The Mercedes Defendants deny the allegations contained in Paragraph 487.

488. The Mercedes Defendants deny the allegations contained in Paragraph 488.

489. The Mercedes Defendants deny the allegations contained in Paragraph 489.

490. The Mercedes Defendants deny the allegations contained in Paragraph 490.

491. The Mercedes Defendants deny the allegations contained in Paragraph 491, including in each subparagraph of Paragraph 491.

492. The Mercedes Defendants deny the allegations contained in Paragraph 492.

493. The Mercedes Defendants deny the allegations contained in Paragraph 493.

494. The Mercedes Defendants deny the allegations contained in Paragraph 494.

495. The Mercedes Defendants deny the allegations contained in Paragraph 495.

496. The Mercedes Defendants deny the allegations contained in Paragraph 496.

497. The Mercedes Defendants deny the allegations contained in Paragraph 497.

498. The Mercedes Defendants deny the allegations contained in Paragraph 498.

499. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 499.

500. Paragraph 500 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

501. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

502. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 502 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 502 is a fair and complete summary of the statutory provisions described therein.

503. Paragraph 503 states a legal conclusion to which no response is required.

504. Paragraph 504 states a legal conclusion to which no response is required.

505. The Mercedes Defendants deny the allegations contained in Paragraph 505.

506. The Mercedes Defendants deny the allegations contained in Paragraph 506.

507. The Mercedes Defendants deny the allegations contained in Paragraph 507, including in each subparagraph of Paragraph 507.

508. The Mercedes Defendants deny the allegations contained in Paragraph 508.

509. The Mercedes Defendants deny the allegations contained in Paragraph 509.

510. The Mercedes Defendants deny the allegations contained in Paragraph 510.

511. The Mercedes Defendants deny the allegations contained in Paragraph 511.

512. The Mercedes Defendants deny the allegations contained in Paragraph 512, including in each subparagraph of Paragraph 512.

513. The Mercedes Defendants deny the allegations contained in Paragraph 513.

514. The Mercedes Defendants deny the allegations contained in Paragraph 514.

515. The Mercedes Defendants deny the allegations contained in Paragraph 515.

516. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 516.

517. The Mercedes Defendants deny the allegations contained in Paragraph 517.

518. The Mercedes Defendants deny the allegations contained in Paragraph 518.

519. The Mercedes Defendants deny the allegations contained in Paragraph 519.

520. The Mercedes Defendants admit that Plaintiffs served a demand letter on Daimler AG on August 23, 2016. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 520.

521. The Mercedes Defendants deny the allegations contained in Paragraph 521.

522. The Mercedes Defendants deny the allegations contained in Paragraph 522.

523. Paragraph 523 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

524. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

525. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 525 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 525 is a fair and complete summary of the statutory provisions described therein.

526. The Mercedes Defendants deny the allegations contained in Paragraph 526.

527. The Mercedes Defendants deny the allegations contained in Paragraph 527.

528. The Mercedes Defendants deny the allegations contained in Paragraph 528.

529. The Mercedes Defendants deny the allegations contained in Paragraph 529.

530. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 530.

531. Paragraph 531 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

532. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

533. The Mercedes Defendants deny the allegations contained in Paragraph 533.

534. The Mercedes Defendants deny the allegations contained in Paragraph 534.

535. The Mercedes Defendants deny the allegations contained in Paragraph 535.

536. The Mercedes Defendants deny the allegations contained in Paragraph 536.

537. The Mercedes Defendants deny the allegations contained in Paragraph 537.

538. The Mercedes Defendants deny the allegations contained in Paragraph 538.

539. The Mercedes Defendants deny the allegations contained in Paragraph 539.

540. The Mercedes Defendants deny the allegations contained in Paragraph 540.

541. The Mercedes Defendants deny the allegations contained in Paragraph 541.

542. The Mercedes Defendants deny the allegations contained in Paragraph 542.

543. The Mercedes Defendants deny the allegations contained in Paragraph 543.

544. The Mercedes Defendants deny the allegations contained in Paragraph 544.

545. The Mercedes Defendants deny the allegations contained in Paragraph 545.

546. The Mercedes Defendants deny the allegations contained in Paragraph 546.

547. The Mercedes Defendants deny the allegations contained in Paragraph 547.

548. The Mercedes Defendants deny the allegations contained in Paragraph 548.

549. The Mercedes Defendants deny the allegations contained in Paragraph 549.

550. The Mercedes Defendants deny the allegations contained in Paragraph 550.

551. The Mercedes Defendants deny the allegations contained in Paragraph 551.

E. Claims brought on behalf of the Colorado Subclass.

552. Paragraph 552 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

553. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

554. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 554 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 554 is a fair and complete summary of the statutory provisions described therein.

555. Paragraph 555 states a legal conclusion to which no response is required.

556. Paragraph 556 states a legal conclusion to which no response is required.

557. The Mercedes Defendants deny the allegations contained in Paragraph 557.

558. The Mercedes Defendants deny the allegations contained in Paragraph 558.

559. The Mercedes Defendants deny the allegations contained in Paragraph 559.

560. The Mercedes Defendants deny the allegations contained in Paragraph 560.

561. The Mercedes Defendants deny the allegations contained in Paragraph 561.

562. The Mercedes Defendants deny the allegations contained in Paragraph 562.

563. The Mercedes Defendants deny the allegations contained in Paragraph 563, including in each subparagraph of Paragraph 563.

564. The Mercedes Defendants deny the allegations contained in Paragraph 564.

565. The Mercedes Defendants deny the allegations contained in Paragraph 565.

566. The Mercedes Defendants deny the allegations contained in Paragraph 566.

567. The Mercedes Defendants deny the allegations contained in Paragraph 567.

568. The Mercedes Defendants deny the allegations contained in Paragraph 568.

569. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested.

570. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested.

571. Paragraph 571 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

572. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

573. The Mercedes Defendants deny the allegations contained in Paragraph 573.

574. The Mercedes Defendants deny the allegations contained in Paragraph 574.

575. The Mercedes Defendants deny the allegations contained in Paragraph 575.

576. The Mercedes Defendants deny the allegations contained in Paragraph 576.

577. The Mercedes Defendants deny the allegations contained in Paragraph 577.

578. The Mercedes Defendants deny the allegations contained in Paragraph 578.

579. The Mercedes Defendants deny the allegations contained in Paragraph 579.

580. The Mercedes Defendants deny the allegations contained in Paragraph 580.

581. The Mercedes Defendants deny the allegations contained in Paragraph 581.

582. The Mercedes Defendants deny the allegations contained in Paragraph 582.

583. The Mercedes Defendants deny the allegations contained in Paragraph 583.

584. The Mercedes Defendants deny the allegations contained in Paragraph 584.

585. The Mercedes Defendants deny the allegations contained in Paragraph 585.

586. The Mercedes Defendants deny the allegations contained in Paragraph 586.

587. The Mercedes Defendants deny the allegations contained in Paragraph 587.

588. The Mercedes Defendants deny the allegations contained in Paragraph 588.

589. The Mercedes Defendants deny the allegations contained in Paragraph 589.

590. The Mercedes Defendants deny the allegations contained in Paragraph 590.

591. The Mercedes Defendants deny the allegations contained in Paragraph 591.

F. Claims brought on behalf of the Connecticut Subclass.

592. Paragraph 592 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

593. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

594. Paragraph 594 states a legal conclusion to which no response is required.

595. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 595 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 595 is a fair and complete summary of the statutory provisions described therein. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 595.

596. The Mercedes Defendants deny the allegations contained in Paragraph 596.

597. The Mercedes Defendants deny the allegations contained in Paragraph 597.

598. The Mercedes Defendants deny the allegations contained in Paragraph 598.

599. The Mercedes Defendants deny the allegations contained in Paragraph 599.

600. The Mercedes Defendants deny the allegations contained in Paragraph 600.

601. The Mercedes Defendants deny the allegations contained in Paragraph 601.

602. The Mercedes Defendants deny the allegations contained in Paragraph 602.

603. The Mercedes Defendants deny the allegations contained in Paragraph 603, including in each subparagraph of Paragraph 603.

604. The Mercedes Defendants deny the allegations contained in Paragraph 604.

605. The Mercedes Defendants deny the allegations contained in Paragraph 605.

606. The Mercedes Defendants deny the allegations contained in Paragraph 606.

607. The Mercedes Defendants deny the allegations contained in Paragraph 607.

608. The Mercedes Defendants deny the allegations contained in Paragraph 608.

609. The Mercedes Defendants deny the allegations contained in Paragraph 609.

610. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested. The Mercedes Defendants lack knowledge and information sufficient

to form a belief as to the truth or falsity of the allegations contained in the second sentence of Paragraph 610, and therefore deny them on that basis. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 610.

611. Paragraph 611 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

612. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

613. The Mercedes Defendants deny the allegations contained in Paragraph 613.

614. The Mercedes Defendants deny the allegations contained in Paragraph 614.

615. The Mercedes Defendants deny the allegations contained in Paragraph 615.

616. The Mercedes Defendants deny the allegations contained in Paragraph 616.

617. The Mercedes Defendants deny the allegations contained in Paragraph 617.

618. The Mercedes Defendants deny the allegations contained in Paragraph 618.

619. The Mercedes Defendants deny the allegations contained in Paragraph 619.

620. The Mercedes Defendants deny the allegations contained in Paragraph 620.

621. The Mercedes Defendants deny the allegations contained in Paragraph 621.

622. The Mercedes Defendants deny the allegations contained in Paragraph 622.

623. The Mercedes Defendants deny the allegations contained in Paragraph 623.

624. The Mercedes Defendants deny the allegations contained in Paragraph 624.

625. The Mercedes Defendants deny the allegations contained in Paragraph 625.

626. The Mercedes Defendants deny the allegations contained in Paragraph 626.

627. The Mercedes Defendants deny the allegations contained in Paragraph 627.

628. The Mercedes Defendants deny the allegations contained in Paragraph 628.

629. The Mercedes Defendants deny the allegations contained in Paragraph 629.

630. The Mercedes Defendants deny the allegations contained in Paragraph 630.

631. The Mercedes Defendants deny the allegations contained in Paragraph 631.

G. Claims brought on behalf of the Georgia Subclass.

632. Paragraph 632 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

633. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 633 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 633 is a fair and complete summary of the statutory provisions described therein. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 633.

634. The Mercedes Defendants deny the allegations contained in Paragraph 634.

635. The Mercedes Defendants deny the allegations contained in Paragraph 635.

636. The Mercedes Defendants deny the allegations contained in Paragraph 636.

637. The Mercedes Defendants deny the allegations contained in Paragraph 637.

638. The Mercedes Defendants deny the allegations contained in Paragraph 638.

639. The Mercedes Defendants deny the allegations contained in Paragraph 639.

640. The Mercedes Defendants deny the allegations contained in Paragraph 640, including in each subparagraph of Paragraph 640.

641. The Mercedes Defendants deny the allegations contained in Paragraph 641.

642. The Mercedes Defendants deny the allegations contained in Paragraph 642.

643. The Mercedes Defendants deny the allegations contained in Paragraph 643.

644. The Mercedes Defendants deny the allegations contained in Paragraph 644.

645. The Mercedes Defendants deny the allegations contained in Paragraph 645.

646. The Mercedes Defendants deny the allegations contained in Paragraph 646.

647. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 647.

648. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested.

649. Paragraph 649 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

650. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

651. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 651 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 651 is a fair and complete summary of the statutory provisions described therein.

652. Paragraph 652 states legal conclusions to which no responses are required.

653. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 653.

654. Paragraph 654 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

655. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

656. The Mercedes Defendants deny the allegations contained in Paragraph 656.

657. The Mercedes Defendants deny the allegations contained in Paragraph 657.

658. The Mercedes Defendants deny the allegations contained in Paragraph 658.

659. The Mercedes Defendants deny the allegations contained in Paragraph 659.

660. The Mercedes Defendants deny the allegations contained in Paragraph 660.

661. The Mercedes Defendants deny the allegations contained in Paragraph 661.

662. The Mercedes Defendants deny the allegations contained in Paragraph 662.

663. The Mercedes Defendants deny the allegations contained in Paragraph 663.

664. The Mercedes Defendants deny the allegations contained in Paragraph 664.

665. The Mercedes Defendants deny the allegations contained in Paragraph 665.

666. The Mercedes Defendants deny the allegations contained in Paragraph 666.

667. The Mercedes Defendants deny the allegations contained in Paragraph 667.

668. The Mercedes Defendants deny the allegations contained in Paragraph 668.

669. The Mercedes Defendants deny the allegations contained in Paragraph 669.

670. The Mercedes Defendants deny the allegations contained in Paragraph 670.

671. The Mercedes Defendants deny the allegations contained in Paragraph 671.

672. The Mercedes Defendants deny the allegations contained in Paragraph 672.

673. The Mercedes Defendants deny the allegations contained in Paragraph 673.

674. The Mercedes Defendants deny the allegations contained in Paragraph 674.

675. The Mercedes Defendants deny the allegations contained in Paragraph 675.

H. Claims brought on behalf of the Idaho Subclass.

676. Paragraph 676 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

677. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

678. Paragraph 678 states legal conclusions to which no responses are required.

679. Paragraph 679 states legal conclusions to which no responses are required.

680. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 680 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 680 is a fair and complete summary of the statutory provisions described therein. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 680.

681. The Mercedes Defendants deny the allegations contained in Paragraph 681.

682. The Mercedes Defendants deny the allegations contained in Paragraph 682.

683. The Mercedes Defendants deny the allegations contained in Paragraph 683.

684. The Mercedes Defendants deny the allegations contained in Paragraph 684.

685. The Mercedes Defendants deny the allegations contained in Paragraph 685.

686. The Mercedes Defendants deny the allegations contained in Paragraph 686.

687. The Mercedes Defendants deny the allegations contained in Paragraph 687, including in each subparagraph of Paragraph 687.

688. The Mercedes Defendants deny the allegations contained in Paragraph 688.

689. The Mercedes Defendants deny the allegations contained in Paragraph 689.

690. The Mercedes Defendants deny the allegations contained in Paragraph 690.

691. The Mercedes Defendants deny the allegations contained in Paragraph 691.

692. The Mercedes Defendants deny the allegations contained in Paragraph 692.

693. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested.

694. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 694.

695. Paragraph 685 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

696. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

697. The Mercedes Defendants deny the allegations contained in Paragraph 697.

698. The Mercedes Defendants deny the allegations contained in Paragraph 698.

699. The Mercedes Defendants deny the allegations contained in Paragraph 699.

700. The Mercedes Defendants deny the allegations contained in Paragraph 700.

701. The Mercedes Defendants deny the allegations contained in Paragraph 701.

702. The Mercedes Defendants deny the allegations contained in Paragraph 702.

703. The Mercedes Defendants deny the allegations contained in Paragraph 703.

704. The Mercedes Defendants deny the allegations contained in Paragraph 704.

705. The Mercedes Defendants deny the allegations contained in Paragraph 705.

706. The Mercedes Defendants deny the allegations contained in Paragraph 706.

707. The Mercedes Defendants deny the allegations contained in Paragraph 707.

708. The Mercedes Defendants deny the allegations contained in Paragraph 708.

709. The Mercedes Defendants deny the allegations contained in Paragraph 709.

710. The Mercedes Defendants deny the allegations contained in Paragraph 710.

711. The Mercedes Defendants deny the allegations contained in Paragraph 711.

712. The Mercedes Defendants deny the allegations contained in Paragraph 712.

713. The Mercedes Defendants deny the allegations contained in Paragraph 713.

714. The Mercedes Defendants deny the allegations contained in Paragraph 714.

715. The Mercedes Defendants deny the allegations contained in Paragraph 715.

I. Claims brought on behalf of the Illinois Subclass.

716. Paragraph 716 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

717. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

718. Paragraph 718 states legal conclusions to which no responses are required.

719. Paragraph 719 states legal conclusions to which no responses are required.

720. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 720 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 720 is a fair and complete summary of the statutory provisions described therein.

721. The Mercedes Defendants deny the allegations contained in Paragraph 721.

722. The Mercedes Defendants deny the allegations contained in Paragraph 722.

723. The Mercedes Defendants deny the allegations contained in Paragraph 723.

724. The Mercedes Defendants deny the allegations contained in Paragraph 724.

725. The Mercedes Defendants deny the allegations contained in Paragraph 725.

726. The Mercedes Defendants deny the allegations contained in Paragraph 726.

727. The Mercedes Defendants deny the allegations contained in Paragraph 727.

728. The Mercedes Defendants deny the allegations contained in Paragraph 728, including in each subparagraph of Paragraph 728.

729. The Mercedes Defendants deny the allegations contained in Paragraph 729.

730. The Mercedes Defendants deny the allegations contained in Paragraph 730.

731. The Mercedes Defendants deny the allegations contained in Paragraph 731.

732. The Mercedes Defendants deny the allegations contained in Paragraph 732.

733. The Mercedes Defendants deny the allegations contained in Paragraph 733.

734. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 734.

735. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested.

736. Paragraph 736 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

737. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

738. The Mercedes Defendants deny the allegations contained in Paragraph 738.

739. The Mercedes Defendants deny the allegations contained in Paragraph 739.

740. The Mercedes Defendants deny the allegations contained in Paragraph 740.

741. The Mercedes Defendants deny the allegations contained in Paragraph 741.

742. The Mercedes Defendants deny the allegations contained in Paragraph 742.

743. The Mercedes Defendants deny the allegations contained in Paragraph 743.

744. The Mercedes Defendants deny the allegations contained in Paragraph 744.

745. The Mercedes Defendants deny the allegations contained in Paragraph 745.

746. The Mercedes Defendants deny the allegations contained in Paragraph 746.

747. The Mercedes Defendants deny the allegations contained in Paragraph 747.

748. The Mercedes Defendants deny the allegations contained in Paragraph 748.

749. The Mercedes Defendants deny the allegations contained in Paragraph 749.

750. The Mercedes Defendants deny the allegations contained in Paragraph 750.

751. The Mercedes Defendants deny the allegations contained in Paragraph 751.

752. The Mercedes Defendants deny the allegations contained in Paragraph 752.

753. The Mercedes Defendants deny the allegations contained in Paragraph 753.

754. The Mercedes Defendants deny the allegations contained in Paragraph 754.

755. The Mercedes Defendants deny the allegations contained in Paragraph 755.

756. The Mercedes Defendants deny the allegations contained in Paragraph 756.

J. Claims brought on behalf of the Indiana Subclass.

757. Paragraph 757 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

758. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

759. Paragraph 759 states legal conclusions to which no responses are required.

760. Paragraph 760 states legal conclusions to which no responses are required.

761. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 761 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 761 is a fair and complete summary of the statutory provisions described therein. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 761.

762. The Mercedes Defendants deny the allegations contained in Paragraph 762.

763. The Mercedes Defendants deny the allegations contained in Paragraph 763.

764. The Mercedes Defendants deny the allegations contained in Paragraph 764.

765. The Mercedes Defendants deny the allegations contained in Paragraph 765.

766. The Mercedes Defendants deny the allegations contained in Paragraph 766.

767. The Mercedes Defendants deny the allegations contained in Paragraph 767, including in each subparagraph of Paragraph 767.

768. The Mercedes Defendants deny the allegations contained in Paragraph 768.

769. The Mercedes Defendants deny the allegations contained in Paragraph 769.

770. The Mercedes Defendants deny the allegations contained in Paragraph 770.

771. The Mercedes Defendants deny the allegations contained in Paragraph 771.

772. The Mercedes Defendants deny the allegations contained in Paragraph 772.

773. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 773.

774. Paragraph 774 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

775. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

776. The Mercedes Defendants deny the allegations contained in Paragraph 776.

777. The Mercedes Defendants deny the allegations contained in Paragraph 777.

778. The Mercedes Defendants deny the allegations contained in Paragraph 778.

779. The Mercedes Defendants deny the allegations contained in Paragraph 779.

780. The Mercedes Defendants deny the allegations contained in Paragraph 780.

781. The Mercedes Defendants deny the allegations contained in Paragraph 781.

782. The Mercedes Defendants deny the allegations contained in Paragraph 782.

783. The Mercedes Defendants deny the allegations contained in Paragraph 783.

784. The Mercedes Defendants deny the allegations contained in Paragraph 784.

785. The Mercedes Defendants deny the allegations contained in Paragraph 785.

786. The Mercedes Defendants deny the allegations contained in Paragraph 786.

787. The Mercedes Defendants deny the allegations contained in Paragraph 787.

788. The Mercedes Defendants deny the allegations contained in Paragraph 788.

789. The Mercedes Defendants deny the allegations contained in Paragraph 789.

790. The Mercedes Defendants deny the allegations contained in Paragraph 790.

791. The Mercedes Defendants deny the allegations contained in Paragraph 791.

792. The Mercedes Defendants deny the allegations contained in Paragraph 792.

793. The Mercedes Defendants deny the allegations contained in Paragraph 793.

794. The Mercedes Defendants deny the allegations contained in Paragraph 794.

K. Claims brought on behalf of the Maryland Subclass.

795. Paragraph 795 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

796. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs

may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

797. Paragraph 797 states legal conclusions to which no responses are required.

798. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 798 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 798 is a fair and complete summary of the statutory provisions described therein. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 798.

799. The Mercedes Defendants deny the allegations contained in Paragraph 799.

800. The Mercedes Defendants deny the allegations contained in Paragraph 800.

801. The Mercedes Defendants deny the allegations contained in Paragraph 801.

802. The Mercedes Defendants deny the allegations contained in Paragraph 802.

803. The Mercedes Defendants deny the allegations contained in Paragraph 803.

804. The Mercedes Defendants deny the allegations contained in Paragraph 804.

805. The Mercedes Defendants deny the allegations contained in Paragraph 805, including in each subparagraph of Paragraph 805.

806. The Mercedes Defendants deny the allegations contained in Paragraph 806.

807. The Mercedes Defendants deny the allegations contained in Paragraph 807.

808. The Mercedes Defendants deny the allegations contained in Paragraph 808.

809. The Mercedes Defendants deny the allegations contained in Paragraph 809.

810. The Mercedes Defendants deny the allegations contained in Paragraph 810.

811. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested.

812. Paragraph 812 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

813. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

814. The Mercedes Defendants deny the allegations contained in Paragraph 814.

815. The Mercedes Defendants deny the allegations contained in Paragraph 815.

816. The Mercedes Defendants deny the allegations contained in Paragraph 816.

817. The Mercedes Defendants deny the allegations contained in Paragraph 817.

818. The Mercedes Defendants deny the allegations contained in Paragraph 818.

819. The Mercedes Defendants deny the allegations contained in Paragraph 819.

820. The Mercedes Defendants deny the allegations contained in Paragraph 820.

821. The Mercedes Defendants deny the allegations contained in Paragraph 821.

822. The Mercedes Defendants deny the allegations contained in Paragraph 822.

823. The Mercedes Defendants deny the allegations contained in Paragraph 823.

824. The Mercedes Defendants deny the allegations contained in Paragraph 824.

825. The Mercedes Defendants deny the allegations contained in Paragraph 825.

826. The Mercedes Defendants deny the allegations contained in Paragraph 826.

827. The Mercedes Defendants deny the allegations contained in Paragraph 827.

828. The Mercedes Defendants deny the allegations contained in Paragraph 828.

829. The Mercedes Defendants deny the allegations contained in Paragraph 829.

830. The Mercedes Defendants deny the allegations contained in Paragraph 830.

831. The Mercedes Defendants deny the allegations contained in Paragraph 831.

832. The Mercedes Defendants deny the allegations contained in Paragraph 832.

833. The Mercedes Defendants deny the allegations contained in Paragraph 833.

L. Claims brought on behalf of the Massachusetts Subclass.

834. Paragraph 834 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

835. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

836. Paragraph 836 states legal conclusions to which no responses are required.

837. Paragraph 837 states legal conclusions to which no responses are required.

838. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 838 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 838 is a fair and complete summary of the statutory provisions described therein. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 838.

839. The Mercedes Defendants deny the allegations contained in Paragraph 839.

840. The Mercedes Defendants deny the allegations contained in Paragraph 840.

841. The Mercedes Defendants deny the allegations contained in Paragraph 841.

842. The Mercedes Defendants deny the allegations contained in Paragraph 842.

843. The Mercedes Defendants deny the allegations contained in Paragraph 843.

844. The Mercedes Defendants deny the allegations contained in Paragraph 844.

845. The Mercedes Defendants deny the allegations contained in Paragraph 845, including in each subparagraph of Paragraph 845.

846. The Mercedes Defendants deny the allegations contained in Paragraph 846.

847. The Mercedes Defendants deny the allegations contained in Paragraph 847.

848. The Mercedes Defendants deny the allegations contained in Paragraph 848.

849. The Mercedes Defendants deny the allegations contained in Paragraph 849.

850. The Mercedes Defendants deny the allegations contained in Paragraph 850.

851. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 851.

852. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested.

853. The Mercedes Defendants admit that Plaintiffs served a demand letter on Daimler AG on August 23, 2016. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 853.

854. Paragraph 854 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

855. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

856. The Mercedes Defendants deny the allegations contained in Paragraph 856.

857. The Mercedes Defendants deny the allegations contained in Paragraph 857.

858. The Mercedes Defendants deny the allegations contained in Paragraph 858.

859. The Mercedes Defendants deny the allegations contained in Paragraph 859.

860. The Mercedes Defendants deny the allegations contained in Paragraph 860.

861. The Mercedes Defendants deny the allegations contained in Paragraph 861.

862. The Mercedes Defendants deny the allegations contained in Paragraph 862.

863. The Mercedes Defendants deny the allegations contained in Paragraph 863.

864. The Mercedes Defendants deny the allegations contained in Paragraph 864.

865. The Mercedes Defendants deny the allegations contained in Paragraph 865.

866. The Mercedes Defendants deny the allegations contained in Paragraph 866.

867. The Mercedes Defendants deny the allegations contained in Paragraph 867.

868. The Mercedes Defendants deny the allegations contained in Paragraph 865.

869. The Mercedes Defendants deny the allegations contained in Paragraph 869.

870. The Mercedes Defendants deny the allegations contained in Paragraph 870.

871. The Mercedes Defendants deny the allegations contained in Paragraph 871.

872. The Mercedes Defendants deny the allegations contained in Paragraph 872.

873. The Mercedes Defendants deny the allegations contained in Paragraph 873.

874. The Mercedes Defendants deny the allegations contained in Paragraph 874.

875. The Mercedes Defendants deny the allegations contained in Paragraph 875.

M. Claims brought on behalf of the Minnesota Subclass.

876. Paragraph 876 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

877. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

878. Paragraph 878 states legal conclusions to which no responses are required.

879. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 879 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 879 is a fair and complete summary of the statutory provisions described therein. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 879.

880. The Mercedes Defendants deny the allegations contained in Paragraph 880.

881. The Mercedes Defendants deny the allegations contained in Paragraph 881.

882. The Mercedes Defendants deny the allegations contained in Paragraph 882.

883. The Mercedes Defendants deny the allegations contained in Paragraph 883.

884. The Mercedes Defendants deny the allegations contained in Paragraph 884.

885. The Mercedes Defendants deny the allegations contained in Paragraph 885.

886. The Mercedes Defendants deny the allegations contained in Paragraph 886, including in each subparagraph of Paragraph 886.

887. The Mercedes Defendants deny the allegations contained in Paragraph 887.

888. The Mercedes Defendants deny the allegations contained in Paragraph 888.

889. The Mercedes Defendants deny the allegations contained in Paragraph 889.

890. The Mercedes Defendants deny the allegations contained in Paragraph 890.

891. The Mercedes Defendants deny the allegations contained in Paragraph 891.

892. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested.

893. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 893.

894. Paragraph 894 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

895. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

896. The Mercedes Defendants deny the allegations contained in Paragraph 896.

897. The Mercedes Defendants deny the allegations contained in Paragraph 897.

898. The Mercedes Defendants deny the allegations contained in Paragraph 898.

899. The Mercedes Defendants deny the allegations contained in Paragraph 899.

900. The Mercedes Defendants deny the allegations contained in Paragraph 900.

901. The Mercedes Defendants deny the allegations contained in Paragraph 901.

902. The Mercedes Defendants deny the allegations contained in Paragraph 902.

903. The Mercedes Defendants deny the allegations contained in Paragraph 903.

904. The Mercedes Defendants deny the allegations contained in Paragraph 904.

905. The Mercedes Defendants deny the allegations contained in Paragraph 905.

906. The Mercedes Defendants deny the allegations contained in Paragraph 906.

907. The Mercedes Defendants deny the allegations contained in Paragraph 907.

908. The Mercedes Defendants deny the allegations contained in Paragraph 908.

909. The Mercedes Defendants deny the allegations contained in Paragraph 909.

910. The Mercedes Defendants deny the allegations contained in Paragraph 910.

911. The Mercedes Defendants deny the allegations contained in Paragraph 911.

912. The Mercedes Defendants deny the allegations contained in Paragraph 912.

913. The Mercedes Defendants deny the allegations contained in Paragraph 913.

914. The Mercedes Defendants deny the allegations contained in Paragraph 914.

N. Claims brought on behalf of the Mississippi Subclass.

915. Paragraph 915 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

916. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

917. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 917 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 917 is a fair and complete summary of the statutory provisions described therein.

918. The Mercedes Defendants deny the allegations contained in Paragraph 918.

919. The Mercedes Defendants deny the allegations contained in Paragraph 919.

920. The Mercedes Defendants deny the allegations contained in Paragraph 920.

921. The Mercedes Defendants deny the allegations contained in Paragraph 921.

922. The Mercedes Defendants deny the allegations contained in Paragraph 922.

923. The Mercedes Defendants deny the allegations contained in Paragraph 923.

924. The Mercedes Defendants deny the allegations contained in Paragraph 924, including in each subparagraph of Paragraph 924.

925. The Mercedes Defendants deny the allegations contained in Paragraph 925.

926. The Mercedes Defendants deny the allegations contained in Paragraph 926.

927. The Mercedes Defendants deny the allegations contained in Paragraph 927.

928. The Mercedes Defendants deny the allegations contained in Paragraph 928.

929. The Mercedes Defendants deny the allegations contained in Paragraph 929.

930. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested.

931. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested.

932. Paragraph 932 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

933. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

934. The Mercedes Defendants deny the allegations contained in Paragraph 934.

935. The Mercedes Defendants deny the allegations contained in Paragraph 935.

936. The Mercedes Defendants deny the allegations contained in Paragraph 936.

937. The Mercedes Defendants deny the allegations contained in Paragraph 937.

938. The Mercedes Defendants deny the allegations contained in Paragraph 938.

939. The Mercedes Defendants deny the allegations contained in Paragraph 939.

940. The Mercedes Defendants deny the allegations contained in Paragraph 940.

941. The Mercedes Defendants deny the allegations contained in Paragraph 941.

942. The Mercedes Defendants deny the allegations contained in Paragraph 942.

943. The Mercedes Defendants deny the allegations contained in Paragraph 943.

944. The Mercedes Defendants deny the allegations contained in Paragraph 944.

945. The Mercedes Defendants deny the allegations contained in Paragraph 945.

946. The Mercedes Defendants deny the allegations contained in Paragraph 946.

947. The Mercedes Defendants deny the allegations contained in Paragraph 947.

948. The Mercedes Defendants deny the allegations contained in Paragraph 948.

949. The Mercedes Defendants deny the allegations contained in Paragraph 949.

950. The Mercedes Defendants deny the allegations contained in Paragraph 950.

951. The Mercedes Defendants deny the allegations contained in Paragraph 951.

952. The Mercedes Defendants deny the allegations contained in Paragraph 952.

O. Claims brought on behalf of the Missouri Subclass.

953. Paragraph 953 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

954. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

955. Paragraph 955 states legal conclusions to which no responses are required.

956. Paragraph 956 states legal conclusions to which no responses are required.

957. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 957 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 957 is a fair and complete summary of the statutory provisions described therein. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 957.

958. The Mercedes Defendants deny the allegations contained in Paragraph 958.

959. The Mercedes Defendants deny the allegations contained in Paragraph 959.

960. The Mercedes Defendants deny the allegations contained in Paragraph 960.

961. The Mercedes Defendants deny the allegations contained in Paragraph 961.

962. The Mercedes Defendants deny the allegations contained in Paragraph 962.

963. The Mercedes Defendants deny the allegations contained in Paragraph 963.

964. The Mercedes Defendants deny the allegations contained in Paragraph 964, including in each subparagraph of Paragraph 964.

965. The Mercedes Defendants deny the allegations contained in Paragraph 965.

966. The Mercedes Defendants deny the allegations contained in Paragraph 966.

967. The Mercedes Defendants deny the allegations contained in Paragraph 967.

968. The Mercedes Defendants deny the allegations contained in Paragraph 968.

969. The Mercedes Defendants deny the allegations contained in Paragraph 969.

970. The Mercedes Defendants deny the allegations contained in Paragraph 970.

971. Paragraph 971 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

972. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

973. The Mercedes Defendants deny the allegations contained in Paragraph 973.

974. The Mercedes Defendants deny the allegations contained in Paragraph 974.

975. The Mercedes Defendants deny the allegations contained in Paragraph 975.

976. The Mercedes Defendants deny the allegations contained in Paragraph 976.

977. The Mercedes Defendants deny the allegations contained in Paragraph 977.

978. The Mercedes Defendants deny the allegations contained in Paragraph 978.

979. The Mercedes Defendants deny the allegations contained in Paragraph 979.

980. The Mercedes Defendants deny the allegations contained in Paragraph 980.

981. The Mercedes Defendants deny the allegations contained in Paragraph 981.

982. The Mercedes Defendants deny the allegations contained in Paragraph 982.

983. The Mercedes Defendants deny the allegations contained in Paragraph 983.

984. The Mercedes Defendants deny the allegations contained in Paragraph 984.

985. The Mercedes Defendants deny the allegations contained in Paragraph 985.

986. The Mercedes Defendants deny the allegations contained in Paragraph 986.

987. The Mercedes Defendants deny the allegations contained in Paragraph 987.

988. The Mercedes Defendants deny the allegations contained in Paragraph 988.

989. The Mercedes Defendants deny the allegations contained in Paragraph 989.

990. The Mercedes Defendants deny the allegations contained in Paragraph 990.

991. The Mercedes Defendants deny the allegations contained in Paragraph 991.

P. Claims brought on behalf of the Nevada Subclass.

992. Paragraph 992 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

993. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

994. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 994 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 994 is a fair and complete summary of the statutory provisions described therein. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 994.

995. The Mercedes Defendants deny the allegations contained in Paragraph 995.

996. The Mercedes Defendants deny the allegations contained in Paragraph 996.

997. The Mercedes Defendants deny the allegations contained in Paragraph 997.

998. The Mercedes Defendants deny the allegations contained in Paragraph 998.

999. The Mercedes Defendants deny the allegations contained in Paragraph 999.

1000. The Mercedes Defendants deny the allegations contained in Paragraph 1000.

1001. The Mercedes Defendants deny the allegations contained in Paragraph 1001, including in each subparagraph of Paragraph 1001.

1002. The Mercedes Defendants deny the allegations contained in Paragraph 1002.

1003. The Mercedes Defendants deny the allegations contained in Paragraph 1003.

1004. The Mercedes Defendants deny the allegations contained in Paragraph 1004.

1005. The Mercedes Defendants deny the allegations contained in Paragraph 1005.

1006. The Mercedes Defendants deny the allegations contained in Paragraph 1006.

1007. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested.

1008. Paragraph 1008 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

1009. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

1010. The Mercedes Defendants deny the allegations contained in Paragraph 1010.

1011. The Mercedes Defendants deny the allegations contained in Paragraph 1011.

1012. The Mercedes Defendants deny the allegations contained in Paragraph 1012.

1013. The Mercedes Defendants deny the allegations contained in Paragraph 1013.

1014. The Mercedes Defendants deny the allegations contained in Paragraph 1014.

1015. The Mercedes Defendants deny the allegations contained in Paragraph 1015.

1016. The Mercedes Defendants deny the allegations contained in Paragraph 1016.

1017. The Mercedes Defendants deny the allegations contained in Paragraph 1017.

1018. The Mercedes Defendants deny the allegations contained in Paragraph 1018.

1019. The Mercedes Defendants deny the allegations contained in Paragraph 1019.

1020. The Mercedes Defendants deny the allegations contained in Paragraph 1020.

1021. The Mercedes Defendants deny the allegations contained in Paragraph 1021.

1022. The Mercedes Defendants deny the allegations contained in Paragraph 1022.

1023. The Mercedes Defendants deny the allegations contained in Paragraph 1023.

1024. The Mercedes Defendants deny the allegations contained in Paragraph 1024.

1025. The Mercedes Defendants deny the allegations contained in Paragraph 1025.

1026. The Mercedes Defendants deny the allegations contained in Paragraph 1026.

1027. The Mercedes Defendants deny the allegations contained in Paragraph 1027.

1028. The Mercedes Defendants deny the allegations contained in Paragraph 1028.

Q. Claims brought on behalf of the New York Subclass.

1029. Paragraph 1029 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

1030. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

1031. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 1031 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 1031 is a fair and complete summary of the statutory provisions described therein. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 1031.

1032. The Mercedes Defendants deny the allegations contained in Paragraph 1032.

1033. The Mercedes Defendants deny the allegations contained in Paragraph 1033.

1034. The Mercedes Defendants deny the allegations contained in Paragraph 1034.

1035. The Mercedes Defendants deny the allegations contained in Paragraph 1035.

1036. The Mercedes Defendants deny the allegations contained in Paragraph 1036.

1037. The Mercedes Defendants deny the allegations contained in Paragraph 1037.

1038. The Mercedes Defendants deny the allegations contained in Paragraph 1038, including in each subparagraph of Paragraph 1038.

1039. The Mercedes Defendants deny the allegations contained in Paragraph 1039.

1040. The Mercedes Defendants deny the allegations contained in Paragraph 1040.

1041. The Mercedes Defendants deny the allegations contained in Paragraph 1041.

1042. The Mercedes Defendants deny the allegations contained in Paragraph 1042.

1043. The Mercedes Defendants deny the allegations contained in Paragraph 1043.

1044. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 1044.

1045. Paragraph 1045 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

1046. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

1047. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 1047 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 1047 is a fair and complete summary of the statutory provisions described therein.

1048. The Mercedes Defendants deny the allegations contained in Paragraph 1048.

1049. The Mercedes Defendants deny the allegations contained in Paragraph 1049.

1050. The Mercedes Defendants deny the allegations contained in Paragraph 1050.

1051. The Mercedes Defendants deny the allegations contained in Paragraph 1051.

1052. The Mercedes Defendants deny the allegations contained in Paragraph 1052.

1053. The Mercedes Defendants deny the allegations contained in Paragraph 1053.

1054. The Mercedes Defendants deny the allegations contained in Paragraph 1054.

1055. The Mercedes Defendants deny the allegations contained in Paragraph 1055.

1056. The Mercedes Defendants deny the allegations contained in Paragraph 1056, including in each subparagraph of Paragraph 1056.

1057. The Mercedes Defendants deny the allegations contained in Paragraph 1057.

1058. The Mercedes Defendants deny the allegations contained in Paragraph 1058.

1059. The Mercedes Defendants deny the allegations contained in Paragraph 1059.

1060. The Mercedes Defendants deny the allegations contained in Paragraph 1060.

1061. The Mercedes Defendants deny the allegations contained in Paragraph 1061.

1062. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 1062.

1063. Paragraph 1063 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

1064. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

1065. The Mercedes Defendants deny the allegations contained in Paragraph 1065.

1066. The Mercedes Defendants deny the allegations contained in Paragraph 1066.

1067. The Mercedes Defendants deny the allegations contained in Paragraph 1067.

1068. The Mercedes Defendants deny the allegations contained in Paragraph 1068.

1069. The Mercedes Defendants deny the allegations contained in Paragraph 1069.

1070. The Mercedes Defendants deny the allegations contained in Paragraph 1070.

1071. The Mercedes Defendants deny the allegations contained in Paragraph 1071.

1072. The Mercedes Defendants deny the allegations contained in Paragraph 1072.

1073. The Mercedes Defendants deny the allegations contained in Paragraph 1073.

1074. The Mercedes Defendants deny the allegations contained in Paragraph 1074.

1075. The Mercedes Defendants deny the allegations contained in Paragraph 1075.

1076. The Mercedes Defendants deny the allegations contained in Paragraph 1076.

1077. The Mercedes Defendants deny the allegations contained in Paragraph 1077.

1078. The Mercedes Defendants deny the allegations contained in Paragraph 1078.

1079. The Mercedes Defendants deny the allegations contained in Paragraph 1079.

1080. The Mercedes Defendants deny the allegations contained in Paragraph 1080.

1081. The Mercedes Defendants deny the allegations contained in Paragraph 1081.

1082. The Mercedes Defendants deny the allegations contained in Paragraph 1082.

1083. The Mercedes Defendants deny the allegations contained in Paragraph 1083.

R. Claims brought on behalf of the North Carolina Subclass.

1084. Paragraph 1084 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

1085. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

1086. Paragraph 1086 states legal conclusions to which no responses are required.

1087. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 1087 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 1087 is a fair and complete summary of the statutory provisions described therein. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 1087.

1088. The Mercedes Defendants deny the allegations contained in Paragraph 1088.

1089. The Mercedes Defendants deny the allegations contained in Paragraph 1089.

1090. The Mercedes Defendants deny the allegations contained in Paragraph 1090.

1091. The Mercedes Defendants deny the allegations contained in Paragraph 1091.

1092. The Mercedes Defendants deny the allegations contained in Paragraph 1092.

1093. The Mercedes Defendants deny the allegations contained in Paragraph 1093.

1094. The Mercedes Defendants deny the allegations contained in Paragraph 1094, including in each subparagraph of Paragraph 1094.

1095. The Mercedes Defendants deny the allegations contained in Paragraph 1095.

1096. The Mercedes Defendants deny the allegations contained in Paragraph 1096.

1097. The Mercedes Defendants deny the allegations contained in Paragraph 1097.

1098. The Mercedes Defendants deny the allegations contained in Paragraph 1098.

1099. The Mercedes Defendants deny the allegations contained in Paragraph 1099.

1100. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested.

1101. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 1101.

1102. Paragraph 1102 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

1103. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

1104. The Mercedes Defendants deny the allegations contained in Paragraph 1104.

1105. The Mercedes Defendants deny the allegations contained in Paragraph 1105.

1106. The Mercedes Defendants deny the allegations contained in Paragraph 1106.

1107. The Mercedes Defendants deny the allegations contained in Paragraph 1107.

1108. The Mercedes Defendants deny the allegations contained in Paragraph 1108.

1109. The Mercedes Defendants deny the allegations contained in Paragraph 1109.

1110. The Mercedes Defendants deny the allegations contained in Paragraph 1110.

1111. The Mercedes Defendants deny the allegations contained in Paragraph 1111.

1112. The Mercedes Defendants deny the allegations contained in Paragraph 1112.

1113. The Mercedes Defendants deny the allegations contained in Paragraph 1113.

1114. The Mercedes Defendants deny the allegations contained in Paragraph 1114.

1115. The Mercedes Defendants deny the allegations contained in Paragraph 1115.

1116. The Mercedes Defendants deny the allegations contained in Paragraph 1116.

1117. The Mercedes Defendants deny the allegations contained in Paragraph 1117.

1118. The Mercedes Defendants deny the allegations contained in Paragraph 1118.

1119. The Mercedes Defendants deny the allegations contained in Paragraph 1119.

1120. The Mercedes Defendants deny the allegations contained in Paragraph 1120.

1121. The Mercedes Defendants deny the allegations contained in Paragraph 1121.

1122. The Mercedes Defendants deny the allegations contained in Paragraph 1122.

S. Claims brought on behalf of the Ohio Subclass.

1123. Paragraph 1123 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

1124. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

1125. Paragraph 1125 states legal conclusions to which no responses are required.

1126. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 1126 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 1126 is a fair and complete summary of the statutory provisions described therein. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 1126.

1127. The Mercedes Defendants deny the allegations contained in Paragraph 1127.

1128. The Mercedes Defendants deny the allegations contained in Paragraph 1128.

1129. The Mercedes Defendants deny the allegations contained in Paragraph 1129.

1130. The Mercedes Defendants deny the allegations contained in Paragraph 1130.

1131. The Mercedes Defendants deny the allegations contained in Paragraph 1131.

1132. The Mercedes Defendants deny the allegations contained in Paragraph 1132.

1133. The Mercedes Defendants deny the allegations contained in Paragraph 1133, including in each subparagraph of Paragraph 1133.

1134. The Mercedes Defendants deny the allegations contained in Paragraph 1134.

1135. The Mercedes Defendants deny the allegations contained in Paragraph 1135.

1136. The Mercedes Defendants deny the allegations contained in Paragraph 1136.

1137. The Mercedes Defendants deny the allegations contained in Paragraph 1137.

1138. The Mercedes Defendants deny the allegations contained in Paragraph 1138.

1139. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 1139.

1140. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 1140.

1141. Paragraph 1141 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

1142. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

1143. The Mercedes Defendants deny the allegations contained in Paragraph 1143.

1144. The Mercedes Defendants deny the allegations contained in Paragraph 1144.

1145. The Mercedes Defendants deny the allegations contained in Paragraph 1145.

1146. The Mercedes Defendants deny the allegations contained in Paragraph 1146.

1147. The Mercedes Defendants deny the allegations contained in Paragraph 1147.

1148. The Mercedes Defendants deny the allegations contained in Paragraph 1148.

1149. The Mercedes Defendants deny the allegations contained in Paragraph 1149.

1150. The Mercedes Defendants deny the allegations contained in Paragraph 1150.

1151. The Mercedes Defendants deny the allegations contained in Paragraph 1151.

1152. The Mercedes Defendants deny the allegations contained in Paragraph 1152.

1153. The Mercedes Defendants deny the allegations contained in Paragraph 1153.

1154. The Mercedes Defendants deny the allegations contained in Paragraph 1154.

1155. The Mercedes Defendants deny the allegations contained in Paragraph 1155.

1156. The Mercedes Defendants deny the allegations contained in Paragraph 1156.

1157. The Mercedes Defendants deny the allegations contained in Paragraph 1157.

1158. The Mercedes Defendants deny the allegations contained in Paragraph 1158.

1159. The Mercedes Defendants deny the allegations contained in Paragraph 1159.

1160. The Mercedes Defendants deny the allegations contained in Paragraph 1160.

1161. The Mercedes Defendants deny the allegations contained in Paragraph 1161.

T. Claims brought on behalf of the Pennsylvania Subclass.

1162. Paragraph 1162 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

1163. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

1164. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding the purposes for which Plaintiffs purchased or leased their vehicles, and therefore deny them on that basis. Paragraph 1164 also states legal conclusions to which no responses are required.

1165. Paragraph 1165 states legal conclusions to which no responses are required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 1165.

1166. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 1166 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 1166 is a fair and complete summary of the statutory provisions

described therein. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 1166.

1167. The Mercedes Defendants deny the allegations contained in Paragraph 1167.

1168. The Mercedes Defendants deny the allegations contained in Paragraph 1168.

1169. The Mercedes Defendants deny the allegations contained in Paragraph 1169.

1170. The Mercedes Defendants deny the allegations contained in Paragraph 1170.

1171. The Mercedes Defendants deny the allegations contained in Paragraph 1171.

1172. The Mercedes Defendants deny the allegations contained in Paragraph 1172.

1173. The Mercedes Defendants deny the allegations contained in Paragraph 1173, including in each subparagraph of Paragraph 1173.

1174. The Mercedes Defendants deny the allegations contained in Paragraph 1174.

1175. The Mercedes Defendants deny the allegations contained in Paragraph 1175.

1176. The Mercedes Defendants deny the allegations contained in Paragraph 1176.

1177. The Mercedes Defendants deny the allegations contained in Paragraph 1177.

1178. The Mercedes Defendants deny the allegations contained in Paragraph 1178.

1179. The Mercedes Defendants deny the allegations contained in Paragraph 1179.

1180. Paragraph 1180 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

1181. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

1182. The Mercedes Defendants deny the allegations contained in Paragraph 1182.

1183. The Mercedes Defendants deny the allegations contained in Paragraph 1183.

1184. The Mercedes Defendants deny the allegations contained in Paragraph 1184.

1185. The Mercedes Defendants deny the allegations contained in Paragraph 1185.

1186. The Mercedes Defendants deny the allegations contained in Paragraph 1186.

1187. The Mercedes Defendants deny the allegations contained in Paragraph 1187.

1188. The Mercedes Defendants deny the allegations contained in Paragraph 1188.

1189. The Mercedes Defendants deny the allegations contained in Paragraph 1189.

1190. The Mercedes Defendants deny the allegations contained in Paragraph 1190.

1191. The Mercedes Defendants deny the allegations contained in Paragraph 1191.

1192. The Mercedes Defendants deny the allegations contained in Paragraph 1192.

1193. The Mercedes Defendants deny the allegations contained in Paragraph 1193.

1194. The Mercedes Defendants deny the allegations contained in Paragraph 1194.

1195. The Mercedes Defendants deny the allegations contained in Paragraph 1195.

1196. The Mercedes Defendants deny the allegations contained in Paragraph 1196.

1197. The Mercedes Defendants deny the allegations contained in Paragraph 1197.

1198. The Mercedes Defendants deny the allegations contained in Paragraph 1198.

1199. The Mercedes Defendants deny the allegations contained in Paragraph 1199.

1200. The Mercedes Defendants deny the allegations contained in Paragraph 1200.

U. Claims brought on behalf of the South Carolina Subclass.

1201. Paragraph 1201 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

1202. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

1203. Paragraph 1203 states legal conclusions to which no responses are required.

1204. Paragraph 1204 states legal conclusions to which no responses are required.

1205. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 1205 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 1205 is a fair and complete summary of the statutory provisions described therein. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 1205.

1206. The Mercedes Defendants deny the allegations contained in Paragraph 1206.

1207. The Mercedes Defendants deny the allegations contained in Paragraph 1207.

1208. The Mercedes Defendants deny the allegations contained in Paragraph 1208.

1209. The Mercedes Defendants deny the allegations contained in Paragraph 1209.

1210. The Mercedes Defendants deny the allegations contained in Paragraph 1210.

1211. The Mercedes Defendants deny the allegations contained in Paragraph 1211.

1212. The Mercedes Defendants deny the allegations contained in Paragraph 1212, including in each subparagraph of Paragraph 1212.

1213. The Mercedes Defendants deny the allegations contained in Paragraph 1213.

1214. The Mercedes Defendants deny the allegations contained in Paragraph 1214.

1215. The Mercedes Defendants deny the allegations contained in Paragraph 1215.

1216. The Mercedes Defendants deny the allegations contained in Paragraph 1216.

1217. The Mercedes Defendants deny the allegations contained in Paragraph 1217.

1218. The Mercedes Defendants deny the allegations contained in Paragraph 1218.

1219. Paragraph 1219 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

1220. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

1221. The Mercedes Defendants deny the allegations contained in Paragraph 1221.

1222. The Mercedes Defendants deny the allegations contained in Paragraph 1222.

1223. The Mercedes Defendants deny the allegations contained in Paragraph 1223.

1224. The Mercedes Defendants deny the allegations contained in Paragraph 1224.

1225. The Mercedes Defendants deny the allegations contained in Paragraph 1225.

1226. The Mercedes Defendants deny the allegations contained in Paragraph 1226.

1227. The Mercedes Defendants deny the allegations contained in Paragraph 1227.

1228. The Mercedes Defendants deny the allegations contained in Paragraph 1228.

1229. The Mercedes Defendants deny the allegations contained in Paragraph 1229.

1230. The Mercedes Defendants deny the allegations contained in Paragraph 1230.

1231. The Mercedes Defendants deny the allegations contained in Paragraph 1231.

1232. The Mercedes Defendants deny the allegations contained in Paragraph 1232.

1233. The Mercedes Defendants deny the allegations contained in Paragraph 1233.

1234. The Mercedes Defendants deny the allegations contained in Paragraph 1234.

1235. The Mercedes Defendants deny the allegations contained in Paragraph 1235.

1236. The Mercedes Defendants deny the allegations contained in Paragraph 1236.

1237. The Mercedes Defendants deny the allegations contained in Paragraph 1237.

1238. The Mercedes Defendants deny the allegations contained in Paragraph 1238.

V. Claims brought on behalf of the Texas Subclass

1239. Paragraph 1239 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

1240. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

1241. Paragraph 1241 states legal conclusions to which no responses are required.

1242. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 1242 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 1242 is a fair and complete summary of the statutory provisions described therein. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 1242.

1243. The Mercedes Defendants deny the allegations contained in Paragraph 1243.

1244. The Mercedes Defendants deny the allegations contained in Paragraph 1244.

1245. The Mercedes Defendants deny the allegations contained in Paragraph 1245.

1246. The Mercedes Defendants deny the allegations contained in Paragraph 1246.

1247. The Mercedes Defendants deny the allegations contained in Paragraph 1247.

1248. The Mercedes Defendants deny the allegations contained in Paragraph 1248.

1249. The Mercedes Defendants deny the allegations contained in Paragraph 1249.

1250. The Mercedes Defendants deny the allegations contained in Paragraph 1250, including in each subparagraph of Paragraph 1250.

1251. The Mercedes Defendants deny the allegations contained in Paragraph 1251.

1252. The Mercedes Defendants deny the allegations contained in Paragraph 1252.

1253. The Mercedes Defendants deny the allegations contained in Paragraph 1253.

1254. The Mercedes Defendants deny the allegations contained in Paragraph 1254.

1255. The Mercedes Defendants deny the allegations contained in Paragraph 1255.

1256. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 1256.

1257. The Mercedes Defendants admit that Plaintiffs served a demand letter on Daimler AG on August 23, 2016. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 1257.

1258. Paragraph 1258 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

1259. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

1260. The Mercedes Defendants deny the allegations contained in Paragraph 1260.

1261. The Mercedes Defendants deny the allegations contained in Paragraph 1261.

1262. The Mercedes Defendants deny the allegations contained in Paragraph 1262.

1263. The Mercedes Defendants deny the allegations contained in Paragraph 1263.

1264. The Mercedes Defendants deny the allegations contained in Paragraph 1264.

1265. The Mercedes Defendants deny the allegations contained in Paragraph 1265.

1266. The Mercedes Defendants deny the allegations contained in Paragraph 1266.

1267. The Mercedes Defendants deny the allegations contained in Paragraph 1267.

1268. The Mercedes Defendants deny the allegations contained in Paragraph 1268.

1269. The Mercedes Defendants deny the allegations contained in Paragraph 1269.

1270. The Mercedes Defendants deny the allegations contained in Paragraph 1270.

1271. The Mercedes Defendants deny the allegations contained in Paragraph 1271.

1272. The Mercedes Defendants deny the allegations contained in Paragraph 1272.

1273. The Mercedes Defendants deny the allegations contained in Paragraph 1273.

1274. The Mercedes Defendants deny the allegations contained in Paragraph 1274.

1275. The Mercedes Defendants deny the allegations contained in Paragraph 1275.

1276. The Mercedes Defendants deny the allegations contained in Paragraph 1276.

1277. The Mercedes Defendants deny the allegations contained in Paragraph 1277.

1278. The Mercedes Defendants deny the allegations contained in Paragraph 1278.

W. Claims brought on behalf of the Utah Subclass.

1279. Paragraph 1279 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

1280. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs

may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

1281. Paragraph 1281 states legal conclusions to which no responses are required.

1282. Paragraph 1282 states legal conclusions to which no responses are required.

1283. Paragraph 1283 states legal conclusions to which no responses are required.

1284. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 1284 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 1284 is a fair and complete summary of the statutory provisions described therein. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 1284.

1285. The Mercedes Defendants deny the allegations contained in Paragraph 1285.

1286. The Mercedes Defendants deny the allegations contained in Paragraph 1286.

1287. The Mercedes Defendants deny the allegations contained in Paragraph 1287.

1288. The Mercedes Defendants deny the allegations contained in Paragraph 1288.

1289. The Mercedes Defendants deny the allegations contained in Paragraph 1289.

1290. The Mercedes Defendants deny the allegations contained in Paragraph 1290.

1291. The Mercedes Defendants deny the allegations contained in Paragraph 1291, including in each subparagraph of Paragraph 1291.

1292. The Mercedes Defendants deny the allegations contained in Paragraph 1292.

1293. The Mercedes Defendants deny the allegations contained in Paragraph 1293.

1294. The Mercedes Defendants deny the allegations contained in Paragraph 1294.

1295. The Mercedes Defendants deny the allegations contained in Paragraph 1295.

1296. The Mercedes Defendants deny the allegations contained in Paragraph 1296.

1297. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested.

1298. Paragraph 1298 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

1299. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

1300. The Mercedes Defendants deny the allegations contained in Paragraph 1300.

1301. The Mercedes Defendants deny the allegations contained in Paragraph 1301.

1302. The Mercedes Defendants deny the allegations contained in Paragraph 1302.

1303. The Mercedes Defendants deny the allegations contained in Paragraph 1303.

1304. The Mercedes Defendants deny the allegations contained in Paragraph 1304.

1305. The Mercedes Defendants deny the allegations contained in Paragraph 1305.

1306. The Mercedes Defendants deny the allegations contained in Paragraph 1306.

1307. The Mercedes Defendants deny the allegations contained in Paragraph 1307.

1308. The Mercedes Defendants deny the allegations contained in Paragraph 1308.

1309. The Mercedes Defendants deny the allegations contained in Paragraph 1309.

1310. The Mercedes Defendants deny the allegations contained in Paragraph 1310.

1311. The Mercedes Defendants deny the allegations contained in Paragraph 1311.

1312. The Mercedes Defendants deny the allegations contained in Paragraph 1312.

1313. The Mercedes Defendants deny the allegations contained in Paragraph 1313.

1314. The Mercedes Defendants deny the allegations contained in Paragraph 1314.

1315. The Mercedes Defendants deny the allegations contained in Paragraph 1315.

1316. The Mercedes Defendants deny the allegations contained in Paragraph 1316.

1317. The Mercedes Defendants deny the allegations contained in Paragraph 1317.

1318. The Mercedes Defendants deny the allegations contained in Paragraph 1318.

X. Claims brought on behalf of the Virginia Subclass.

1319. Paragraph 1319 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

1320. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

1321. The Mercedes Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations regarding the purposes for which Plaintiffs purchased or leased their vehicles, and therefore deny them on that basis. Paragraph 1321 also states legal conclusions to which no responses are required.

1322. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 1322 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 1322 is a fair and complete summary of the statutory provisions described therein. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 1322.

1323. The Mercedes Defendants deny the allegations contained in Paragraph 1323.

1324. The Mercedes Defendants deny the allegations contained in Paragraph 1324.

1325. The Mercedes Defendants deny the allegations contained in Paragraph 1325.

1326. The Mercedes Defendants deny the allegations contained in Paragraph 1326.

1327. The Mercedes Defendants deny the allegations contained in Paragraph 1327.

1328. The Mercedes Defendants deny the allegations contained in Paragraph 1328.

1329. The Mercedes Defendants deny the allegations contained in Paragraph 1329, including in each subparagraph of Paragraph 1329.

1330. The Mercedes Defendants deny the allegations contained in Paragraph 1330.

1331. The Mercedes Defendants deny the allegations contained in Paragraph 1331.

1332. The Mercedes Defendants deny the allegations contained in Paragraph 1332.

1333. The Mercedes Defendants deny the allegations contained in Paragraph 1333.

1334. The Mercedes Defendants deny the allegations contained in Paragraph 1334.

1335. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 1335.

1336. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested.

1337. Paragraph 1337 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

1338. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

1339. The Mercedes Defendants deny the allegations contained in Paragraph 1339.

1340. The Mercedes Defendants deny the allegations contained in Paragraph 1340.

1341. The Mercedes Defendants deny the allegations contained in Paragraph 1341.

1342. The Mercedes Defendants deny the allegations contained in Paragraph 1342.

1343. The Mercedes Defendants deny the allegations contained in Paragraph 1343.

1344. The Mercedes Defendants deny the allegations contained in Paragraph 1344.

1345. The Mercedes Defendants deny the allegations contained in Paragraph 1345.

1346. The Mercedes Defendants deny the allegations contained in Paragraph 1346.

1347. The Mercedes Defendants deny the allegations contained in Paragraph 1347.

1348. The Mercedes Defendants deny the allegations contained in Paragraph 1348.

1349. The Mercedes Defendants deny the allegations contained in Paragraph 1349.

1350. The Mercedes Defendants deny the allegations contained in Paragraph 1350.

1351. The Mercedes Defendants deny the allegations contained in Paragraph 1351.

1352. The Mercedes Defendants deny the allegations contained in Paragraph 1352.

1353. The Mercedes Defendants deny the allegations contained in Paragraph 1353.

1354. The Mercedes Defendants deny the allegations contained in Paragraph 1354.

1355. The Mercedes Defendants deny the allegations contained in Paragraph 1355.

1356. The Mercedes Defendants deny the allegations contained in Paragraph 1356.

1357. The Mercedes Defendants deny the allegations contained in Paragraph 1357.

Y. Claims brought on behalf of the Washington Subclass.

1358. Paragraph 1358 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

1359. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

1360. Paragraph 1360 states legal conclusions to which no responses are required.

1361. Paragraph 1361 states legal conclusions to which no responses are required.

1362. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 1362 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 1362 is a fair and complete summary of the statutory provisions described therein. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 1362.

1363. The Mercedes Defendants deny the allegations contained in Paragraph 1363.

1364. The Mercedes Defendants deny the allegations contained in Paragraph 1364.

1365. The Mercedes Defendants deny the allegations contained in Paragraph 1365.

1366. The Mercedes Defendants deny the allegations contained in Paragraph 1366.

1367. The Mercedes Defendants deny the allegations contained in Paragraph 1367.

1368. The Mercedes Defendants deny the allegations contained in Paragraph 1368.

1369. The Mercedes Defendants deny the allegations contained in Paragraph 1369, including in each subparagraph of Paragraph 1369.

1370. The Mercedes Defendants deny the allegations contained in Paragraph 1370.

1371. The Mercedes Defendants deny the allegations contained in Paragraph 1371.

1372. The Mercedes Defendants deny the allegations contained in Paragraph 1372.

1373. The Mercedes Defendants deny the allegations contained in Paragraph 1373.

1374. The Mercedes Defendants deny the allegations contained in Paragraph 1374.

1375. The Mercedes Defendants deny the allegations contained in Paragraph 1375.

1376. Paragraph 1376 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

1377. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

1378. The Mercedes Defendants deny the allegations contained in Paragraph 1378.

1379. The Mercedes Defendants deny the allegations contained in Paragraph 1379.

1380. The Mercedes Defendants deny the allegations contained in Paragraph 1380.

1381. The Mercedes Defendants deny the allegations contained in Paragraph 1381.

1382. The Mercedes Defendants deny the allegations contained in Paragraph 1382.

1383. The Mercedes Defendants deny the allegations contained in Paragraph 1383.

1384. The Mercedes Defendants deny the allegations contained in Paragraph 1384.

1385. The Mercedes Defendants deny the allegations contained in Paragraph 1385.

1386. The Mercedes Defendants deny the allegations contained in Paragraph 1386.

1387. The Mercedes Defendants deny the allegations contained in Paragraph 1387.

1388. The Mercedes Defendants deny the allegations contained in Paragraph 1388.

1389. The Mercedes Defendants deny the allegations contained in Paragraph 1389.

1390. The Mercedes Defendants deny the allegations contained in Paragraph 1390.

1391. The Mercedes Defendants deny the allegations contained in Paragraph 1391.

1392. The Mercedes Defendants deny the allegations contained in Paragraph 1392.

1393. The Mercedes Defendants deny the allegations contained in Paragraph 1393.

1394. The Mercedes Defendants deny the allegations contained in Paragraph 1394.

1395. The Mercedes Defendants deny the allegations contained in Paragraph 1395.

Z. Claims brought on behalf of the West Virginia Subclass.

1396. Paragraph 1396 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

1397. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

1398. Paragraph 1398 states legal conclusions to which no responses are required.

1399. Paragraph 1399 states legal conclusions to which no responses are required.

1400. Paragraph 1400 states legal conclusions to which no responses are required.

1401. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 1401 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 1401 is a fair and complete summary of the statutory provisions described therein.

1402. The Mercedes Defendants deny the allegations contained in Paragraph 1402.

1403. The Mercedes Defendants deny the allegations contained in Paragraph 1403.

1404. The Mercedes Defendants deny the allegations contained in Paragraph 1404.

1405. The Mercedes Defendants deny the allegations contained in Paragraph 1405.

1406. The Mercedes Defendants deny the allegations contained in Paragraph 1406.

1407. The Mercedes Defendants deny the allegations contained in Paragraph 1407.

1408. The Mercedes Defendants deny the allegations contained in Paragraph 1408.

1409. The Mercedes Defendants deny the allegations contained in Paragraph 1409, including in each subparagraph of Paragraph 1409.

1410. The Mercedes Defendants deny the allegations contained in Paragraph 1410.

1411. The Mercedes Defendants deny the allegations contained in Paragraph 1411.

1412. The Mercedes Defendants deny the allegations contained in Paragraph 1412.

1413. The Mercedes Defendants deny the allegations contained in Paragraph 1413.

1414. The Mercedes Defendants deny the allegations contained in Paragraph 1414.

1415. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 1415.

1416. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 1416.

1417. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested.

1418. The Mercedes Defendants admit that Plaintiffs served a demand letter on Daimler AG on August 23, 2016. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested and otherwise deny the allegations contained in Paragraph 1418.

1419. Paragraph 1419 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

1420. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

1421. The Mercedes Defendants deny the allegations contained in Paragraph 1421.

1422. The Mercedes Defendants deny the allegations contained in Paragraph 1422.

1423. The Mercedes Defendants deny the allegations contained in Paragraph 1423.

1424. The Mercedes Defendants deny the allegations contained in Paragraph 1424.

1425. The Mercedes Defendants deny the allegations contained in Paragraph 1425.

1426. The Mercedes Defendants deny the allegations contained in Paragraph 1426.

1427. The Mercedes Defendants deny the allegations contained in Paragraph 1427.

1428. The Mercedes Defendants deny the allegations contained in Paragraph 1428.

1429. The Mercedes Defendants deny the allegations contained in Paragraph 1429.

1430. The Mercedes Defendants deny the allegations contained in Paragraph 1430.

1431. The Mercedes Defendants deny the allegations contained in Paragraph 1431.

1432. The Mercedes Defendants deny the allegations contained in Paragraph 1432.

1433. The Mercedes Defendants deny the allegations contained in Paragraph 1433.

1434. The Mercedes Defendants deny the allegations contained in Paragraph 1434.

1435. The Mercedes Defendants deny the allegations contained in Paragraph 1435.

1436. The Mercedes Defendants deny the allegations contained in Paragraph 1436.

1437. The Mercedes Defendants deny the allegations contained in Paragraph 1437.

1438. The Mercedes Defendants deny the allegations contained in Paragraph 1438.

1439. The Mercedes Defendants deny the allegations contained in Paragraph 1439.

AA. Claims brought on behalf of the Wisconsin Subclass.

1440. Paragraph 1440 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

1441. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

1442. Paragraph 1442 states legal conclusions to which no responses are required.

1443. Paragraph 1443 states legal conclusions to which no responses are required. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 1443.

1444. The Mercedes Defendants respectfully refer the Court to the statutory provisions cited in Paragraph 1444 for a complete and accurate description of their contents. The Mercedes Defendants deny that Paragraph 1444 is a fair and complete summary of the statutory provisions described therein. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 1444.

1445. The Mercedes Defendants deny the allegations contained in Paragraph 1445.

1446. The Mercedes Defendants deny the allegations contained in Paragraph 1446.

1447. The Mercedes Defendants deny the allegations contained in Paragraph 1447.

1448. The Mercedes Defendants deny the allegations contained in Paragraph 1448.

1449. The Mercedes Defendants deny the allegations contained in Paragraph 1449.

1450. The Mercedes Defendants deny the allegations contained in Paragraph 1450.

1451. The Mercedes Defendants deny the allegations contained in Paragraph 1451, including in each subparagraph of Paragraph 1451.

1452. The Mercedes Defendants deny the allegations contained in Paragraph 1452.

1453. The Mercedes Defendants deny the allegations contained in Paragraph 1453.

1454. The Mercedes Defendants deny the allegations contained in Paragraph 1454.

1455. The Mercedes Defendants deny the allegations contained in Paragraph 1455.

1456. The Mercedes Defendants deny the allegations contained in Paragraph 1456.

1457. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested. The Mercedes Defendants otherwise deny the allegations contained in Paragraph 1457.

1458. The Mercedes Defendants deny that Plaintiffs or any putative class is entitled to any of the relief requested.

1459. Paragraph 1459 is an explanatory statement to which no response is required. To the extent a further response is required, the Mercedes Defendants incorporate by reference all preceding answers as though fully set forth herein.

1460. The Mercedes Defendants deny that this action may or should be maintained or properly prosecuted as a class action, deny that the putative class or subclasses defined by Plaintiffs may be certified, and further deny that any putative class or subclasses may or should be certified in this action.

1461. The Mercedes Defendants deny the allegations contained in Paragraph 1461.

1462. The Mercedes Defendants deny the allegations contained in Paragraph 1462.

1463. The Mercedes Defendants deny the allegations contained in Paragraph 1463.

1464. The Mercedes Defendants deny the allegations contained in Paragraph 1464.

1465. The Mercedes Defendants deny the allegations contained in Paragraph 1465.

1466. The Mercedes Defendants deny the allegations contained in Paragraph 1466.

1467. The Mercedes Defendants deny the allegations contained in Paragraph 1467.

1468. The Mercedes Defendants deny the allegations contained in Paragraph 1468.

1469. The Mercedes Defendants deny the allegations contained in Paragraph 1469.

1470. The Mercedes Defendants deny the allegations contained in Paragraph 1470.

1471. The Mercedes Defendants deny the allegations contained in Paragraph 1471.

1472. The Mercedes Defendants deny the allegations contained in Paragraph 1472.

1473. The Mercedes Defendants deny the allegations contained in Paragraph 1473.

1474. The Mercedes Defendants deny the allegations contained in Paragraph 1474.

1475. The Mercedes Defendants deny the allegations contained in Paragraph 1475.

1476. The Mercedes Defendants deny the allegations contained in Paragraph 1476.

1477. The Mercedes Defendants deny the allegations contained in Paragraph 1477.

1478. The Mercedes Defendants deny the allegations contained in Paragraph 1478.

1479. The Mercedes Defendants deny the allegations contained in Paragraph 1479.

REQUEST FOR RELIEF

The Mercedes Defendants deny any allegations in the Request for Relief and further deny that Plaintiffs or any putative class member is entitled to any of the relief requested or any other relief.

DEMAND FOR JURY TRIAL

The Mercedes Defendants hereby demand a trial by jury on all claims triable by jury.

AFFIRMATIVE DEFENSES

The Mercedes Defendants assert the following affirmative defenses on information and belief in response to the allegations contained in the Fifth Amended Complaint. By alleging the defenses set forth below, the Mercedes Defendants do not agree or concede that they have the burden of proof or the burden of persuasion on any of these issues.

1. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, because Plaintiffs' Complaint fails to state a claim upon which relief can be granted.

2. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, because they lack Article III and/or prudential standing under the United States Constitution and/or the relevant federal statutory provisions to bring these claims.

3. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, because they lack standing under the relevant state constitutions and/or statutory provisions.

4. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, for failure to meet the particularity pleading standard of Rule 9(b) of the Federal Rules of Civil Procedure.

5. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, because the Mercedes Defendants had no duty to disclose the allegedly omitted information.

6. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, because they purport to challenge nonactionable puffery.

7. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, because the marketing challenged in the Fifth Amended Complaint was not false or misleading, and did not omit any required or material information.

8. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, because the representations and/or omissions and actions alleged by Plaintiffs were not material to Plaintiffs' decisions to purchase and/or lease the class vehicles.

9. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, because the Mercedes Defendants are not responsible in law or in fact for any alleged misstatements or omissions of third parties or others for whom they cannot be held liable under principles of agency or other applicable law.

10. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, because the representations and/or omissions and actions alleged by Plaintiffs did not cause any injury, loss, or other type of harm.

11. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, because the Mercedes Defendants did not commit any predicate acts that may give rise to liability under RICO.

12. Plaintiffs' RICO claims and the claims of putative class members are barred, in whole or in part, because the Mercedes Defendants were not engaged in an enterprise or conspiracy that may give rise to liability under RICO.

13. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, to the extent the alleged RICO predicate acts did not cause any injury to their business or property.

14. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, because the Mercedes Defendants did not conduct or participate, directly or indirectly, in the conduct of a RICO enterprise's affairs.

15. Plaintiffs' RICO claims and the claims of putative class members are barred, in whole or in part, to the extent that Plaintiffs have not suffered any injury proximately caused by conduct alleged in Plaintiffs Complaint.

16. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, because the Mercedes Defendants lack the requisite scienter, knowledge, or intent under RICO or applicable law.

17. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, to the extent they seek relief not available under RICO or other applicable law.

18. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, because the class vehicles comply with all applicable laws, including the Clean Air Act, and all applicable regulation(s).

19. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, pursuant to the primary jurisdiction doctrine because the EPA is the proper authority to determine the issues presented in this action.

20. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, because the Mercedes Defendants lack fair notice of the EPA's interpretation of its statutes or regulations.

21. Plaintiffs' state-law claims and the state-law claims of putative class members are barred, in whole or in part, because federal law (including the Clean Air Act and regulations implementing the Clean Air Act) expressly preempts this action.

22. Plaintiffs' state-law claims and the state-law claims of putative class members are barred, in whole or in part, because federal law impliedly preempts this action.

23. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, to the extent the EPA ratified the acts in question.

24. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, to the extent the EPA consented to the acts in question.

25. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, by the statutes of limitations or statutes of repose.

26. Plaintiffs' claims and the claims of the putative class members are barred to the extent they are moot.

27. Plaintiffs' claims and the claims of the putative class members are barred, in whole or in part, by the doctrine of laches.

28. Plaintiffs' claims and the claims of the putative class members are barred, in whole or in part, by the doctrine of waiver.

29. Plaintiffs' claims and the claims of the putative class members are barred, in whole or in part, by the doctrine of unclean hands.

30. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, by the voluntary payment doctrine.

31. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, by the doctrine of res judicata.

32. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, by the doctrine of collateral estoppel.

33. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, by the doctrine of accord and satisfaction.

34. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, by the doctrine of settlement.

35. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, by the doctrine of arbitration and award.

36. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, by the doctrine of fraud.

37. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, by the doctrine of offset.

38. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, by the terms of binding written contracts, including by releases, contractual limitations on lawsuits or limitations on liability, class action waivers and/or arbitration agreements.

39. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, because they fall into safe harbors or other zones of protected activity under the applicable laws.

40. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, to the extent they are based on amendments to the Fifth Amended Complaint beyond the scope of the leave to amend that was granted by the Court.

41. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, because this action cannot be maintained as a class action pursuant to Rule 23 of the Federal Rules of Civil Procedure.

42. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, because they violate the Rules Enabling Act to the extent they expand class members' substantive rights under state law through reliance on Federal Rule of Civil Procedure 23.

43. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, to the extent that trying this case as a class action would violate the United States Constitution and relevant state Constitutions.

44. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, because the certification of any class would violate the Mercedes Defendants' due process rights by allowing purported class members to assert claims without sustaining their burden of proof on the individual elements of their claims, and by preventing the Mercedes Defendants from challenging the merits of their individual claims and asserting valid individual defenses.

45. Plaintiffs' claims and the claims of the putative class members are barred, in whole or in part, because any award of restitution or monetary relief would constitute a taking of property without just compensation in violation of the Takings Clauses of the Fifth Amendment of the United States Constitution (as incorporated by the Due Process Clause of the Fourteenth Amendment to the United States Constitution), and of any analogous provision contained in relevant state Constitutions.

46. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, because their recovery is prohibited by state law, including but not limited to statutory limitations on individual remedies and class action participation.

47. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, because Plaintiffs had actual or constructive notice of the allegations in the Complaint when they purchased the class vehicles.

48. Plaintiffs' state consumer-protection claims and the state consumer-protection claims of putative class members are barred, in whole or in part, by their failures to afford the

Mercedes Defendants reasonable notice of and a reasonable opportunity to cure any alleged defects.

49. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, by the Commerce Clause of the U.S. Constitution because they purport to regulate interstate commerce and impermissibly place an undue burden on interstate commerce.

50. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, by the First Amendment to the U.S. Constitution, and similar state constitutional provisions, insofar as Plaintiffs seek to regulate the Mercedes Defendants' protected speech through state and federal law.

51. The damages sought by Plaintiffs and putative class members are barred, in whole or in part, by the Due Process Clauses of the Fifth and Fourteenth Amendments to the U.S. Constitution, the Excessive Fines Clause of the Eighth Amendment to the U.S. Constitution, and similar state constitutional provisions.

52. Any claim for damages, restitution, or other monetary recovery by plaintiffs or members of the putative class must be offset and reduced by the value received from the vehicles purchased or leased.

53. Plaintiffs' claims and the claims of putative class members are barred, in whole or part, to the extent there are superseding and/or intervening causes for the damages, if any, incurred by Plaintiffs and the putative class members.

54. Plaintiffs' claims and the claims of putative class members are barred to the extent they seek equitable relief because they are not entitled to such relief as they have an adequate remedy at law.

55. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, to the extent they seek damages or restitution based upon the diminution in value of the class vehicle to the extent they seek relief that is unavailable under applicable law.

56. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, because Plaintiffs have not sustained any injury or damages caused by any action or omission of the Mercedes Defendants.

57. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, because Plaintiffs have not suffered any ascertainable loss or injury as a result of the transactions and conduct that form the basis of their claims as alleged in the Complaint.

58. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, because they did not pay sums representing all or part of the monetary recovery sought in this case to the Mercedes Defendants and, therefore, cannot claim restitution thereof from the Mercedes Defendants.

59. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, because the alleged damages are speculative and unascertainable.

60. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, because they failed to mitigate damages or took unreasonable, unnecessary, or unduly expensive actions in purported mitigation.

61. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, because the damages sought would result in the unjust enrichment of Plaintiffs.

62. Plaintiffs' claims and the claims of putative class members for injunctive relief are barred, in whole or in part, because Plaintiffs lack standing to seek this relief.

63. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, as Plaintiff cannot seek injunctive relief because they cannot establish the required elements to seek this relief.

64. Plaintiffs' claims and the claims of putative class members are barred, in whole or in part, to the extent injunctive relief is not available under applicable law.

RESERVATION OF RIGHTS

1. The Mercedes Defendants deny all allegations not expressly admitted and specifically reserve the right to amend these defenses or assert additional affirmative defenses at such time and to such extent as warranted by discovery and developments in this case. It is not necessary at this time for the Mercedes Defendants to assert such defenses against the putative class, including subclasses, because no class has been certified, and the putative class members are not parties to this litigation. The Mercedes Defendants further reserve the right to amend their answer and/or affirmative defenses accordingly and/or to delete affirmative defenses that they determine are not applicable during the course of subsequent discovery.

2. Any affirmative defenses pleaded by the other defendants and not pleaded by the Mercedes Defendants are incorporated to the extent they do not conflict with the Mercedes Defendants' affirmative defenses.

LOCAL CIVIL RULE 11.2 CERTIFICATION

1. Pursuant to Local Civil Rule 11.2, the undersigned hereby certifies that the matters in controversy are not the subject of any other action pending in any court or of any pending arbitration or administrative proceeding, with the exception of *State of Arizona v. Mercedes-Benz USA, LLC*, No. CV2019-000792 (Ariz. Super. Ct.).

Dated: May 20, 2019

Respectfully Submitted,

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